

Hawaiian Gazette.

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HONOLULU, H. I., TUESDAY, JANUARY 19, 1904—SEMI-WEEKLY.

WHOLE No. 2556.

SECRETARY TAFT INSPECTS NEW SITE FOR FORT

Spent Day With Governor Carter and Captain Williamson--Will Look Into Armory Site.

Secretary of War Taft, spent yesterday in visiting the U. S. Military reservation at Kahauiki, driving about Honolulu, and to the top of Punchbowl, lunching with Governor and Mrs. Carter, and resting during the afternoon prior to the departure of the Korea for San Francisco.

Secretary and Mrs. Taft, accompanied by Governor Carter, Col. McLellan, commandant at Camp McKinley, and Captain McK. Williamson, Depot Quartermaster, U. S. A., went to Kahauiki yesterday forenoon. The Secretary acquainted himself thoroughly with the tract and had pointed out to him the locations especially gone over by the Army Board and General MacArthur.

On the return the party drove around Punchbowl and afterwards went to Governor Carter's home for lunch.

Secretary Taft will take up the matter of the drill shed grounds for which a petition has been sent to Washington asking that it be set aside to the territory on which to erect its new armory. The Secretary promised to do what he could in the premises to aid the Territory.

The Secretary before departing expressed his pleasure in again receiving the hospitality of Honolulu. The visit had been a most charming diversion in his long journey from the Philippines to Washington, and it had been the means of bringing him closer to the people of Hawaii than any other means. He said he would take a deep and personal interest in the Hawaiian Islands. Having acquainted himself with details by personal observation, he expressed himself as being of the opinion that whatever subjects came up before him with relation to islands affairs, he could intelligently cope with them.

The Secretary was very cordial in his expressions of thanks to Governor Carter and Secretary Atkinson for the deep interest they had taken in his visit here.

TAFT REVIEWS TROOPS.

Secretary of War Taft's first official act, as a cabinet officer, was to review a detachment of one hundred artillerymen from Camp McKinley who unexpectedly met him at Pearl City on Saturday. The Secretary of War and a distinguished company were on a special train at the time en route through the plantation sections. The artillery detachments, composed of fifty men each, from the 6th and 6th companies, Coast Artillery, under command of Captain Douglass, had just marched in from the United States Military reservation at Kahauiki and were waiting at Pearl City for transportation to Honolulu, when the special train arrived.

It is worthy of note that the new Secretary of War reviewed for the first time, troops that had been on active field duty. The men were muddy, having just marched in over sixteen miles of heavy rain soaked roads.

When it was known that the Secretary of War was aboard the train the men were drawn up in review. The Secretary was on the rear platform of the observation car. There was little time for formalities and the officers were invited at once to meet the new cabinet officer. With Captain Douglass were Lieut. Harry Newton, Lieut. Hamilton and Lieut. Behr.

The artillery detachment left here on Tuesday, going to Pearl City by train, and to Kahauiki on foot. The troops arrived at the camp in the afternoon and by 5 o'clock had entirely finished the camp and were under canvas in comfortable shape.

The troops started next morning to get the targets in place to begin practice with the mortars. On Thursday the mortars were trained on the targets. This was entirely satisfactory, the recorded results showing that all the shrapnel shots were effective except three which burst by impact on striking the target. This was done at 2100 yard range. The shell fire from the mortars was also satisfactory. There were thirteen hits and but three shots fell short. The latter were practically range-finding shots. After getting the range every shot was effective.

The Gatling gun practice was held on Friday at 1500 yards range. This was and the practice was not so satisfactory as the long range for Gatlings as with mortars. This is not to be wondered at as the guns are graduated only to 1000 yards range and beyond that it had to be done by other means which was open to deflection under many conditions. A heavy wind was blowing during the practice and in many cases deflected the shots.

Captain Douglass says that the Kahauiki reservation is an excellent one for target practice, there being space for ranges up to five miles, if necessary.

Col. McLellan, commandant at Camp McKinley, went out to the camp on Wednesday and left again for Honolulu at the conclusion of the mortar practice.

The men remained in good health during their outing, although the reservation was kept wet by heavy showers. Despite the heavy rains over which they marched to Pearl City, the command reached the station in good condition and not a man fell out.

FAREWELL TO TAFT.

One of the largest crowds that ever congregated on a wharf here was that which assembled on the Hackfeld dock yesterday to watch the departure of the Korea for San Francisco. Unusual interest was manifested in the departure owing to the presence of Governor Taft.

The departure of the big liner also demonstrated that the Ewa end of the harbor is equal to handling such a big ocean monster. The method of steaming out of the harbor yesterday was unique, and unattended by trouble, as (Continued on page 4.)

EXECUTIVE'S HAWAII TOUR SENATORIAL RESOLUTION

Three Weeks in Visiting All Parts of Big Island.

Appropriations to Be Judicially Decided.

Governor Carter will sail in the steamer Kinau at noon today for the island of Hawaii. He will make such an executive exploration of the big island as was never made before.

The Governor will be accompanied by the Secretary of the Territory, A. L. C. Atkinson, and by his private secretary, Frank D. Creedon.

Landing at Mahukona tomorrow morning, the executive party will proceed to Kohala. An examination will be made of the Kohala water question. There will be a trip taken about the periphery of Mount Hualalai, in which ranching lands will be viewed and areas possibly adapted to homesteads.

Probably the hospitable people of Kohala will provide social entertainments of feast and dance for the official visitors.

Hamakua and Hilo agricultural districts will be well covered. There are to be conferences with planters. A homestead tract difficulty, that has been bothering the executive for some time, will receive attention on the ground.

Hilo, the ambitious town, is not to be given cause of complaint for neglect. Some time will be devoted to finding out everything the Hiloites want.

The circuit of the island will be completed by visits to Puna, Kau, North and South Kona. It is estimated that the executive tour of the island will occupy fully three weeks.

BANQUET FOR PRINCE PU LUN

The Chinese of Honolulu are preparing to give Prince Pu Lun, nephew of the Emperor of China, a magnificent reception on his arrival here soon en route to St. Louis. They have arranged to give a banquet at the Alexander Young Hotel in his honor and the stay of the Emperor's nephew will probably bring out the biggest Chinese function that has been given in Honolulu in years.

Prince Pu Lun will be the Chinese commissioner to the St. Louis World's Fair. As vice-commissioner Wong Kai Kai has already been to St. Louis and arranged for the Prince's arrival there. An exact reproduction of Prince Pu Lun's palace will serve as China's building at the fair and Chinese artisans have performed most of the work in erecting this. The Prince will probably be accompanied by an extensive party.

AN OCEAN VIEW IS NOW RESTORED

Looking down Fort street yesterday afternoon a beautiful marine view was revealed. A ship in full view was sailing toward the harbor entrance across the line of the street. Out where the sky meets the ocean a dark speck indicated another winged commerce bearer. Beyond the smooth strip of harbor in the foreground, between that and the entering ship, the deep line of breakers on the reef was defined. The scene suggested to some who viewed it the desirability of keeping the foot of Fort street forever clear of buildings. When the old Inter-Island wharf sheds stood there until lately, the ocean view from down that thoroughfare was shut off. It is something worth preserving to the principal business street.

NOMUA TO FACE CHARGE OF ARSON

Nomua, the Japanese arrested on the premises of Geo. Robertson on the morning the latter's residence was burned, has been charged with arson in the first degree. The case will come up before Judge Lindsay at 9 o'clock this morning.

George Robertson, who is on Hawaii, was communicated with by wireless on Saturday, and his reply was that he would return on the Kinau next Saturday. At the time he sent the message he probably was not aware that the Kinau was on the Hawaii coast. He may return in that vessel.

"Ma, kin I go over an' play wid Micky Hoolihan?" "Naw. Yes know we have nothin' to do wid them Hoolihans." "Den letme go over an' kick the stuffin' outta him."—EX.

SENATORIAL RESOLUTION

Appropriations to Be Judicially Decided.

As a result of the caucus of Senators with the Governor yesterday morning, which was previously announced in the Advertiser, the question of appropriations will be submitted to the Supreme Court in a specially arranged case or cases. There was one member lacking of a majority of the Senate, however, and another conference will be held at 9 o'clock this morning.

Besides the Senators there were in attendance Treasurer Kepopkai, Attorney General Andrews, Auditor Fisher and Secretary Atkinson.

Treasurer Kepopkai, who has the initiative in using former appropriation bills for expenditures when the Legislature has failed to vote necessary supplies, was agreeable to any lawful way out of the difficulty created by the voiding of the County Act. He suggested, on his own behalf, a reference to the Supreme Court.

The Attorney General said late in the afternoon that he had not yet prepared a case to be brought but would do so soon.

The mode of action will be an appeal from a refusal of the Auditor to issue a warrant for some purpose of current expenditure which is not provided for in the eighteen months' bill.

Mr. Andrews stated that he did not think the eighteen months' appropriation bill was entirely void of necessity, on account of the omissions and defects in it due to the taking for granted by the Legislature that the County Act was impregnable and immutable. An appropriation act is different, in this respect, from another law.

Following is the resolution adopted by the seven Senators:

SENATORIAL DECISION.

It is the sense of the undersigned Senators that the question of apportioning the necessary expenses of the Territory during the next eighteen months, beginning with the first of January, 1904, and ending with the thirtieth day of June, 1905, should be laid before the Supreme Court for its opinion; and that the Executive should continue to pay appropriations as provided in the so-called Six Months Appropriation Bill, passed in 1903; and also the so-called Eighteen Months Appropriation Bill, passed in 1903, so far as said Eighteen Months Appropriation Bill provides necessary appropriations. The Six Months Bill to be the guide for appropriations in all departments where the Eighteen Months Bill fails to make the necessary appropriations. The Executive to continue to expend appropriations as above outlined until the decision of the Supreme Court has been made, and that the Executive should be guided by that decision.

Dated, Honolulu, January 18, 1904.
(Signed) CLARENCE L. CRABBE,
L. NAKAPAAHU,
S. W. WILCOX,
D. KALAUOKALANI,
H. P. BALDWIN,
W. C. ACHE,
D. P. R. ISENBERG.

SENATORS WILL CAUCUS AGAIN

Another caucus of the eight Senators in Honolulu will be held this morning at nine o'clock. The question to be considered is the policy to be pursued in the event that the Supreme Court decides against the use of the old appropriations. The question of the need of a special session and the Territorial revenues will also be discussed. All the Senators now here have expressed themselves as opposed to a special session if it can possibly be avoided.

HOWLAND WILL BE ENGINEER

At a meeting of the Territorial Executive Committee yesterday it was decided to recommend C. Hastings Howland to Supt. Holloway for appointment as consulting engineer, Marston Campbell's old place. The only other name presented to the committee was that of Guy Gere, and as it was understood that Gere would retain his place as traveling engineer Howland was given the preference.

Mr. Howland has up to the present been doing engineering work for Puna and Oahu plantations and is a competent man.

Elie:—"There's a man at the door, pa, who says he wants to see 'the boss of the house.'" Father—"Tell your mother." Mother (calling down stairs):—"Tell Bridget."—Philadelphia Press.

SOBER SECOND THOUGHT LEADS TOWARDS PEACE

Reassuring Diplomatic News Comes From German, Russian and Japanese Sources.

Military Preparations Go On But the Indications Are That the Belligerent Powers Will Com- promise Rather Than Fight.

(ASSOCIATED PRESS CABLEGRAMS.)

ST. PETERSBURG, Jan. 18.—The peace party is now in the ascendant. The Japanese Minister declares that war will be mutually expensive, disastrous and indecisive.

PEKING, Jan. 18.—The commandant of the Legation guard has been ordered to join Alexieff.

LONDON, Jan. 18.—Four more regiments have arrived in Manchuria. It is believed that Russia is mobilizing 300,000 men.

PORT ARTHUR, Jan. 18.—The Japanese banks are closing out all their Manchurian accounts. Japanese financiers consider that war or no war, Manchuria will not prove a profitable field for their activity.

COLOGNE, Germany, Jan. 18.—The most important conference in the whole Russo-Japan controversy was held here today when Czar Nicholas received the Japanese Minister to St. Petersburg. The Czar is known to be strongly in favor of peace and the supposition is that urged by King Edward he has decided to take a personal part in the negotiations now pending. The belief is general that the Czar will readily grant concessions that have been refused and strongly opposed by the war party among his advisers.

WASHINGTON, Jan. 18.—Secretary Root has transmitted a supplemental estimate of \$3,500,000 for the armament of the sea-coast forts to the House Military Committee. The general appropriation for the Army carries \$75,000,000.

MONTEVIDEO, Uruguay, Jan. 18.—The army of the revolutionists has met with a crushing defeat. The decisive battle was hard fought with heavy losses on both sides.

HAWAII MAY HAVE LIGHT- HOUSE MONEY REFUNDED

Hawaii can get back the money she has expended for the care of light-houses since annexation if she only goes about in the right way.

When Collector Stackable was in Washington a few months ago he was called into conference several times with Secretary Cortelyou of the Department of Commerce and Labor in regard to the taking over of the light-houses of Hawaii. Besides receiving the assurance of Secretary Cortelyou that the United States would assume control of the light-houses in the Territory beginning with the first of the year, Collector Stackable was informed also that if the Territorial authorities would make up the estimates showing how much had been spent in maintenance and construction of light-houses since annexation the Department of Labor and Commerce would submit to Congress a recommendation for an appropriation to reimburse the Territory for money so expended.

The total expenditure for light-houses, salaries and expense of maintenance for three years and six months from June 14, 1900, would not be over \$25,000 but the fact that Secretary Cortelyou is willing to recommend the repayment of this amount, may be taken as indicating willingness of the National Government to reimburse the Territory for all strictly federal expenditures made by the Territory since annexation. The principal item is of course the dredging of harbors and the maintenance of buoys in the various harbors. The total expenditure on this account will aggregate several hundred thousands of dollars, and the attitude of Secretary Cortelyou gives some promise of the amount being finally paid.

As to the light-houses, there is some little difficulty at present as to how the expense of maintenance for the next period is to be borne. The President upon issuing the proclamation taking over the light-houses on the first of the year specified that the Territory should maintain the lights for one month, and there is a question as to where the money is to be obtained as the Territory has no appropriation for the purpose.

DEMOCRATS OPPOSE THE PANAMA TREATY

WASHINGTON, Jan. 18.—The President has sent to the Senate the Panama correspondence. A letter from General Reyes declared that American capital and United States cruisers had abetted the revolution. It proposed a reference of the case to The Hague and denied that world interests demanded the recognition of the established republic. The Panama treaty has been reported to the Senate. The Democrats are opposed.

HIGH STEAMER FARES KEEP TOURISTS AWAY

"Hawaii can never expect any tourist travel until the steamer rates are lowered sufficiently to permit a man of average wealth to come to the islands for a vacation," said Mr. J. G. MacFayden, a New York banker yesterday. Mr. MacFayden has been in Honolulu installing a savings bank system and was called suddenly to Washington by cable in order to protect patent rights he holds. He departed on the Korea yesterday, but expects to return within a few weeks. "I think I would rather live in Hawaii than anywhere else on earth," continued Mr. MacFayden. "I have been in pretty nearly every part of the globe but Japan and China, and I can truthfully say that I have never been in a more beautiful place, or where the personality of the people attracted me so much. You have wonderful climate and gorgeous scenery. Say what you will about Southern Italy, and I have visited there, you will never find prettier views than right here on this island. "That you can't expect to get tourists

with your present high steamship rates, and I believe the Advertiser has hit upon the right reason for the failure of tourists to be attracted to the islands. When you can go from any city in the United States to Jamaica for a two weeks tour, at a rate of \$100 for the finest accommodations, people are not coming to Honolulu, and pay \$125 just for steamer passage from San Francisco. You can make the Jamaica trip from either Boston or New York for \$75, and that is about the proper tourist rate for the round trip between Honolulu and San Francisco. On the same basis as the Jamaica trip \$40 for one way passage is amply sufficient, and it is a rate that would attract the tourists as well. Hawaii is just beginning to become known in the eastern states and there are thousands of people every year, who no doubt plan to come to the islands for the winter. But when they begin to inquire, and learn the almost prohibitive steamship rates, the trip is abandoned in a hurry, and Jamaica or Florida is the winter resort chosen. "I have had a most pleasant stay in the islands, and I intend to return as soon as I have finished my business in Washington and New York."



THE SIX MONTHS' BILL PRESCRIBED AS GUIDING

Attorney General Andrews Renders Opinion on Appropriations to Governor Carter—Another Extra Session Absurd.

Governor Carter received the following opinion from the Attorney General yesterday evening, upon the referred question of appropriations. It is analogous to the Supreme Court decision on the County Act, in finding the eighteen months' appropriation bill to be a nullity because its defects are so many as to make it as a whole an abortion.

Attorney General Andrews shows that the proposal of another extra session to pass appropriations is an absurdity. He concludes that, according to the Boyd decision of the Supreme Court and the character of the measure itself, the bill making appropriations for the six months ending December 31, 1903, is the last complete and valid appropriation bill, therefore the executive's lawful guide in making expenditures for carrying on the Government, during the remaining nearly 18 months of this period, under the authorization of the Organic Act "in case of the failure of the Legislature to pass appropriation bills," etc.

GOVERNOR RESERVES DECISION.

Governor Carter, after reading the opinion, gave out the statement that his course would not be decided until after consultation with the Senators of the Territorial Legislature, who have been called to meet in caucus on Monday.

Following is the text of the Attorney General's opinion:

Opinion No. 20.

Honolulu, T. H., Jan. 15, 1904.
To His Excellency Geo. R. Carter, Governor, Territory of Hawaii.

Sir: In regard to the question referred to me, as to what course the government should pursue in regard to appropriations for the ensuing eighteen months, in view of the decision by the Supreme Court, declaring void Act 31 of the Session Laws of 1903, commonly known as the County Act, and in view of the fact that the abolishing of counties threw back upon the Territorial Government the entire burden of governing the whole Territory of Hawaii, as previous to the establishment of counties, and, further, in view of the fact that the appropriation bills for the ensuing eighteen months, as passed by the legislature in extra session, failed to provide appropriations for carrying on the Territorial Government, as it was prior to the enactment of County Law, and to provide for the necessary current expenses and the meeting of the legal obligations of such a government, I would reply as follows:

The Congress of the United States, as evidenced by the Organic Act, undoubtedly intended that the Executive, in carrying on the Government of the Territory, should not be hampered by a recalcitrant or neglectful legislature, or a legislature which might have honestly intended to do what was right, but through ignorance or error so acted, in passing appropriations, that the Government would be forced to come to a standstill for lack of appropriations. Sec. 54 of our Organic Act provides:

"That in case of failure of the legislature to pass appropriation bills providing for payments of the necessary current expenses of carrying on the government and meeting its legal obligations as the same are provided for by the then existing laws, the Governor shall, upon the adjournment of the legislature, call it in extra session for the consideration of appropriation bills, and until the legislature shall have acted the treasurer may, with the advice of the Governor, make such payments, for which purpose the sums appropriated in the last appropriation bills shall be deemed to have been reappropriated. And all legislative and other appropriations made prior to the date when this act shall take effect, shall be available to the Government of the Territory of Hawaii."

The legislature of 1903 failed to pass, in their regular session, any appropriation bills, and were, therefore, called in extra session by Governor Dole, for the purpose of passing such bills. In such extra session they passed, among others, acts regulating the cur-

rent expenditures and salaries for the period from July 1, 1903, to December 31, 1903, and from January 1, 1904, to June 30, 1905, and the Supreme Court, in the case of *In Re Robert Boyd*, 15th Haw., decided December 12, 1903, held that, in doing so, the legislature acted within its powers, and could so divide the biennial period for which it must make appropriations.

The so-called eighteen months' bills failed to provide, among other things, for the maintenance of the Judiciary, Tax and Police Departments, as well as the majority of the Bureaus under the Public Works Department. They can in no sense be called "appropriation bills" providing for "the payments of the necessary current expenses of carrying on the Government and meeting its legal obligations as the same are provided for by the then existing laws."

The word "failure" in Sec. 54, above quoted, is not qualified in any way, and I do not believe can be limited in its meaning. It must mean failure from any cause whatsoever, and certainly there has been a complete failure on the part of the legislature in regard to passing bills for the purposes above cited. These bills, having failed in the particulars pointed out, must the Governor re-call the legislature for the purpose of enacting new appropriations for the departments omitted from said bills.

Sec. 54 provides that "the Governor shall call the legislature in extra session for consideration of appropriation bills." This has been done. The section also provides that "until the legislature shall have acted the Treasurer may, with the advice of the Governor, make such payments, for which purpose the sums appropriated in the last appropriation bills shall be deemed to have been reappropriated." The clause "until the legislature shall have acted," refers to the time during which this extraordinary use of past appropriation bills may be made.

The legislature has been called, according to law, and has failed to act. Under these circumstances I am of the opinion that the clause, permitting prior appropriations to be made use of, applies. This clause is intended to provide for the very contingency now facing the Government.

Sec. 54 requires, and is mandatory upon the Governor to call the legislature in extra session. It does not, however, require the Governor to continue calling the legislature in extra session, for the consideration of appropriation bills. In order to test this statement, let us assume that the Governor must call the legislature in extra sessions until it shall have acted upon, among others, acts regulating the cur-

(Continued on page 3.)

DECREE IS NOW FILED

Chief Justice Considers Experience Gained Valuable.

The decree following the County Act decision was presented by Messrs. Matthewsman and Hemenway and duly entered in the Supreme Court yesterday. Before its presentation Chief Justice Frear, on being informed of an impression abroad that county officers had some standing as such until the decree was entered, said:

"The decree makes no difference. It is not the decision that makes the County Act void. The Act is void of itself and nothing done by virtue of it can be legal."

The Chief Justice mentioned that, in his researches on the case, he came across a decision where a law authorizing the issue of county bonds was found null and void, after the bonds had been issued and current four years. "All this is not time lost," Chief Justice Frear added. "We have gained a great deal of information for future guidance from the experience."

He considered that, in proceeding anew, county government might best be attained through several measures covering the different related subjects.

Following is the form of the decree: In the Supreme Court of the Territory of Hawaii, October 1903 Term. Territory of Hawaii vs. Supervisors of the County of Oahu. Quo Warranto.

DECREE.

This action having come before this court on appeal from a decree of the First Judge of the Circuit Court of the First Judicial Circuit, dated December 24th, 1903, wherein it was held that, notwithstanding any matter or thing in the petition stated or set forth, the respondents are qualified and legally authorized to perform the duties of Supervisors of the County of Oahu in conformity with the provisions of Act 31, of the Session Laws of 1903, entitled "An Act Providing for the Organization and Government of Counties and Districts, and the Management and Control of Public Works and Public Institutions Therein," and

This Court having considered the record and the argument of counsel;

It is hereby ordered, adjudged, and decreed that the decree appealed from is reversed, that the respondents are not entitled to the offices which they claim as Supervisors of the County of Oahu, and that they are hereby forbidden to act as such Supervisors.

Entered this 15th day of January, A. D. 1904, as of the 13th day of January, A. D. 1904.

By the Court:

GEORGE LUCAS, Clerk.

Turn Down the Business Men.

The Independent says: But as to the opposition of the business element to County Government. They see their hold upon affairs slipping away from them into those of the people, where it rightly belongs, and it is that they don't want to lose. Col. Iaukea gave the right ring when he said that "it was the sentiment of the Hawaiian Government here . . . because they people that there should be County Government upon it as something that had been given them in place of the independence they had lost." We must second him in this expression, for popular rule must, sooner or later, take the place of a rule by a few, and that few, the business community. In this is their opposition to popular control of affairs, and they are seconded by the insincerity of the Republican party, whose death warrant is now about sealed.

The business community much prefer the present form of centralized government and they, as a rule, are strongly opposed to decentralization, for in the latter they see their waning influence over affairs. Heretofore, they've had most of the say, but hereafter, popularity must prevail in our local affairs. This country was sold for naught by the business interests without the popular consent, and in return for our loss of independence, the people demand that they must and shall rule, and that day is surely coming. If we can't get it at home, we hope to get it away from home, and then what will be said when it is shoved down our throats, whether we like it or not. It will be a bitter pill, but annexation was wanted, not being content with what we then had, and we are bound "to get it where the chicken got the axe."

Home Rulers Would Appeal.

The Home Rule executive committee has decided to appeal from the decision of the Supreme Court on the County Act. Curtis Laukea informed the committee that he had promises of funds to carry the appeal to Washington, and Judge Whiting will probably be secured as counsel. The three Home Rule members of the Board of Supervisors have been advised as to the wishes of the committee and it is said will follow the advice. There was some doubt expressed yesterday as to the right of three supervisors to appeal without the consent of the majority, although it is thought that this can be done. The Republican Supervisors are opposed to an appeal and trying up the country's affairs for an indefinite period.

"Isn't that young Mr. Cleriker a clever talker, Laura?" "Do you think so, dear?" "I couldn't help overhearing a part of what he said last night, and it struck me as being idiotic." "If you overheard what he was saying last night then you know that he was praising me." "Well, yes, dear, I gathered as much."

MAUI HAD TWO SHERIFFS

White Hit Hard by the Court's Decision.

The tension of several days of anxious waiting was relieved on Wednesday afternoon when telephone messages swept over Maui announcing that the Supreme Court had decided adversely to the county bill.

Treasurer Kepoikai had arrived on Wednesday morning's Claudiene to turn over the tax assessor's department to the new officials. If he found them duly qualified. Upon receipt of the confirmation of the news however he turned over the office and records to former Tax Assessor W. T. Robinson, with instructions to him to put his former deputies to work at once.

On Thursday morning Sheriff Baldwin received a wireless from High Sheriff Brown of Honolulu instructing him to assume the duties of Sheriff of Maui and to demand return of the property in possession of Sheriff-elect William White. Sheriff Baldwin duly presented himself at the sheriff's office and demanded to be reinstated, and for possession of the property delivered to Sheriff White. Mr. White declined to vacate or turn over the property until he received further advice from the Attorney-General, as to what he should do.

Sheriff Baldwin however summoned all his old police force went to the sheriff's office and practically took possession. In the meantime the Board of Supervisors met at the courthouse, and Sheriff White laid the matter before them. They fully discussed the situation, and took the position that as neither they nor the sheriff had received any official communication on the subject, that it would be proper for Sheriff White to hold his position until officially notified that his election was invalid. The Board invited any citizen present to express his views and Mr. W. T. Robinson, Mr. J. N. K. Keola, Mr. Thos. Clark and others commended the position taken by the Board, and suggested that they would be justified in holding the offices to which they were elected, until officially notified that the election was void. Sheriff Baldwin was privately approached and requested to withhold action until official notice could be received from Honolulu. He declined to do this, however, stating that his instructions from High Sheriff Brown were positive and left him no alternative in the matter.

After much deliberation the Board adopted a resolution substantially instructing Sheriff White to hold his office until officially notified to the contrary. Sheriff Baldwin was called before the Board, informed of the resolution, and asked what course he proposed to take in the matter. He replied that there was absolutely only one course for him to take in the matter and that was to implicitly obey the orders of High Sheriff Brown. He added however that while he could not recognize White as sheriff, still he was perfectly willing that Mr. White should occupy the rooms of the sheriff's office until he was ready to turn over everything. A mutual understanding to this effect was had, and with two sheriffs to look after our welfare, peace reigns serene on central Maui.

Some business has already been transacted by the new county officials. A marriage license was issued by the tax assessor, several instruments were recorded by the county clerk, and a liquor license for Paia was issued. This license money will probably be refunded, and the documents recorded again with the Territorial Registrar.

It is stated that the Board of Supervisors will meet as soon as they learn definitely that their tenure of office is ended, and formally relinquish office, and instruct the county officials elect to do the same. They will also make proper arrangements for the safekeeping of their records and of county property in their hands, until proper officials are ready to receive them.—Maui News.

ABOUT COLDS.—In all countries and among all nations of the globe, cough medicines are used and used probably more extensively than any other one class of medicines. Every human being is subject to throat and lung troubles, which may terminate his existence. People everywhere realize the dangerous consequences of a neglected cold, for the majority of fatalities have their origin in and are characterized first by a simple cold. The more careful and prudent persons do not permit a cold to run its course, but treat it promptly. For many years Chamberlain's Cough Remedy has been in use throughout the United States and many other countries and time has proven it to be the best adapted of any remedy yet made for all throat and lung diseases, and especially coughs, colds, croup and whooping cough. It always cures and cures quickly. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

Experience: Mrs. Friendly—"But, honestly, what was your real reason for refusing her dinner invitation?" Mrs. Charplon—"Experience. I used to have her cook."—Brooklyn Life.

A critical summary: "What do you think of that writer's work?" "Oh," answered Miss Cayenne, "he has said two or three clever things and several thousand others."—Washington Star.

KEPOIKAI'S OPINION OF OLD APPROPRIATION BILLS

Treasurer Does Not Believe 1901 Law is Good But Will Probably Pay on Six Months Basis.

"No, I don't believe the old appropriations can be used to carry on the Territorial government," said Treasurer Kepoikai yesterday. By old appropriations the Treasurer means those of 1901, for he is reported to have already signified his willingness to pay those of the six months' bill, which removes the last difficulty in the way of carrying on the Territorial government without a special session of the legislature.

Treasurer Kepoikai returned from a week's vacation on Maui, having been granted leave of absence for that length of time by Governor Carter.

"I don't care to be interviewed on Sunday," said the Treasurer to an Advertiser reporter on the wharf yesterday afternoon. "Come up to my office tomorrow and I will give you my contentions on the subject of appropriations."

"Do you believe the old appropriations can be used now?"

"No, the law is plain. My opinion is that they cannot. I have not read the Attorney General's opinion yet. But I don't want to be interviewed on Sunday. Why should I put myself out of the way for the Advertiser?"

"Would the appropriations of 1901 be available, or the six months' bill?"

"The old laws least of any," replied Mr. Kepoikai.

"Then you will refuse to pay under the old appropriations?"

"I never said that."

Treasurer Kepoikai and Governor Carter will probably confer today on the question of appropriations after the Senate has concluded its deliberations. The consent of the Treasurer is necessary before appropriations can be paid. The Organic Act provides:

"That in case of the failure of the legislature to pass appropriation bills providing for the payment of the necessary current expenses of carrying on the government and meeting its legal obligations as the same are provided for by the then existing laws the Governor shall upon the adjournment of the legislature, call it in extra session for the consideration of appropriation bills, and until the legislature shall have acted, the Treasurer may, with the advice of the Governor, make such payments for which purpose the sums appropriated in the last appropriation bills shall be deemed to have been reappropriated."

The Organic Act makes the payment of sums under the old appropriation bills optional with the Treasurer, and

if he refuses to pay the warrants issued by the Auditor, the government will be blocked, unless through relief by the legislature, or action upon the County Act by Congress, both of which contingencies an effort is being made to avoid.

The Attorney-General is the legal adviser of the government, but Kepoikai hasn't been given to following his rulings in the past, and if the Treasurer develops a contrary streak he could probably enforce the calling of a special session.

Treasurer Kepoikai while on Maui issued orders to the tax collectors on each of the islands to take charge, and he said yesterday that all of them had complied. Governor Carter also sent telegrams to the various assessors to the same effect.

Deputy Assessor Holt may be appointed assessor for Oahu to succeed Assessor Pratt, although no action has been determined upon as yet. There was some talk that Iaukea would be appointed to the place to which he had been elected, but friends to whom Kepoikai has talked since his return say that the Treasurer is too good a Republican to do that. The Treasurer can only appoint with the approval of the Governor, and it is likely that the Territorial Executive Committee will have something to say as to who will fill the place.

FORTIFY HAWAII, DEFEND CABLE

The need of promptness in fortifying the more important ports in our insular territories, which has recently been pointed out in these columns, is clearly recognized in a communication transmitted to the House of Representatives by the Secretary of War. In this communication Mr. Root presents a supplemental estimate of \$2,526,100 to be included in the Army Appropriation bill, the purposes of which are fully explained as follows: "Defenses for Porto Rico, the Hawaiian Islands, Guam and the Philippines are urgently needed to protect the newly acquired territory of the United States and Government property to be stored there, also to prevent interruption of cable communication between San Francisco, the Territory of Hawaii and Manila. This estimate is submitted with the object of beginning the construction of these defenses at once at such insular localities as are now the property of the United States or may become so before the appropriation is exhausted, and of acquiring additional land needed as sites for defenses of the Territory of Hawaii."—Army and Navy Journal.

NO CONGRESSIONAL ACTION WANTED.

At the conference with the Governor, Mr. Iaukea said that the Hawaiians wanted County Government, not because they thought it was the best, but because they regarded it as a reward, or a gift which had been given them for the loss of their independence. The meaning of this is, that the propertyless non-taxpaying majority under our present franchise, propose under the form of county government to assume control, and to use it for their own benefit as some sort of compensation for the loss of their privileges under the monarchy, at the expense of the property owners and taxpayers. Was this what Congress intended to saddle upon the Americans in Hawaii?

John F. Colburn, on the other hand, who was the ex-Queen's last Minister of the Interior, boldly announced that he did not want county government, and that it was against the property interests of Hawaii. He represents the interests of the great Kapiolani Estate and of the two princes, David and Kuhio.

The present county law places the control of our taxes and expenditures almost absolutely in the hands of those who can tax and squander ad libitum without the slightest injury to their own pockets. This lays a most dangerous foundation upon which to base good government. It places power in the hands of the irresponsible, which, in the long run can only produce mischief.

If we must have a county government, a vast improvement upon the present law would be a Board of Supervisors appointed by the Governor, with elected executive officers. This would be in accordance with the organic act, which provides that all public Boards shall be appointed by the Governor. It will also retain under conservative control a most important part of the business of government, until the voters demonstrate their ability to conduct the entire government. It will be in the line of developing popular government along educative lines instead of thrusting it upon a people unprepared therefor, who will only work injury to the true cause of democratic government if the forcing method is persisted in. If time can be given to redraft the county act along conservative lines, eliminating unconstitutional features and simplifying it, the next legislature can enact a county law which will not be a two edged sword, cutting every one within reach.

If this is to be done protests should be cabled to Congress against the passage of the act now before it.

HOUSE COMMITTEE ON TERRITORIES AND THE HAWAII COUNTY BILL

(Mail Special to the Advertiser.)

WASHINGTON, D. C., Jan. 2.—Nearly everything of interest here to Hawaii is waiting upon the session of Congress which meets day after tomorrow. The last two weeks have been weeks of general inactivity. No one has been applying himself to tasks, well aware that all the departments of the government were in no mood to consider much business seriously, unless it be of most pressing importance.

By the end of the coming week the Senate will probably have settled down to a long, hard night over ratification of the Panama Canal treaty. This is expected to be the last stage in the exhaustive proceedings of many years, which will lead to immediate construction of the great ditch, in which Hawaii has no little interest. It can be stated with no little certainty that the treaty will be ratified. President Roosevelt, as soon as the treaty is ratified, will appoint the canal commissioners and move as rapidly as is consistent with all the circumstances to have the dirt flying along the route of the canal.

Yesterday the New Year's reception was held at the White House, the great

annual event, which, more than anything else, signifies the beginning of the New Year in official Washington. There was a marked absence of Senators and members of Congress in the great sinuous line that wound its way up to the White House. Most of the Congressmen are still away at their homes, but the incoming trains are already bringing them back.

Delegate Kalaniana'ole, who has been in Washington during all of the holidays, was one of those who called on President Roosevelt yesterday. "I was intensely interested in the reception," said he last evening. "It was something entirely new to me." The delegate was cordially received by President Roosevelt and the two exchanged briefly the compliments of the season.

The Delegate is preparing to introduce in the House several bills pertaining to Hawaii. These are practically the same bills that Senator Mitchell introduced in the Senate, or rather bills on the same topics. "I am trying to get the text of these bills ready," said he last evening. "that they may be before the House as early as possible." The dele-

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THE SIX MONTHS' BILL PRESCRIBED AS GUIDING

(Continued from page 2.)

appropriation bills. This would enable the legislature to compel the Governor to keep it in session for the whole term of two years in which they hold office, by a course of parliamentary delay. This reduces the rule to an absurdity, and shows that it is beyond the intention of this section. The only mandatory requirement is, that the Governor call the legislature in extra session when they fail to act in their regular session, and this has been done. It does not require him to call an extra session until the legislature shall have acted. But if they fail to act in such session, then the section states the remedy. The argument that the legislature did not fail to pass the necessary appropriation bills in their extra session has no foundation in fact. By omitting the departments they did, the appropriation acts are worthless for the complete carrying on of the Territorial Government, and a Government, which is not complete in all its necessary departments, is not a government at all. The failure, therefore, to provide for the Police and Judiciary, is as much a failure to provide for the Government, as though the failure had extended to all the departments of the Government. It is beyond the power of the legislature to pass appropriation bills, wiping out departments of Government when the laws, requiring these departments, in order that there shall be a legal and valid government within the Territory, are still in force.

These observations apply to all departments whose appropriations are not contained in the eighteen months' bill, but which, by the laws of the Territory, are necessary to the carrying on of the government thereof. If it were held that the Governor must call the legislature in extra session and continue so doing until they should pass appropriations covering these various departments, then the precedent would be established that whenever a legislature, for purposes of its own, wished to force the Governor into granting it a perpetual session, it could pass such appropriations as it deemed proper, leaving out, say, an appropriation for the Treasurer's department, without which the Government of the Territory of Hawaii could not continue under its present laws. In such a case the Governor would have to keep it in perpetual session until it did make appropriation for that department, because he would be powerless to act under the latter portion of Section 54. This question reduces the situation to an absurdity, and shows the fallacy of such reasoning.

It may be argued that the legislature has the right to regulate appropriations as it pleases; to appropriate or withhold; to establish or repeal an office; to provide or refuse to provide for certain objects that have been provided for by previous legislatures.

With certain exceptions, not now necessary to be referred to, this claim can be admitted, with this proviso, that the legislature can withhold an appropriation for a salary or an object, which is not specifically provided for by existing laws. That is its privilege and within its power. For example: the legislature failed to make an appropriation for an Assistant Superintendent of Public Works during the last six months of 1903. There was no separate law creating this office, and the legislature, therefore, acted within its powers in failing to appropriate a salary therefor. Had such office been created by statute, the legislature would not have been justified in failing to appropriate a salary therefor until it had first repealed the statute creating the office.

Applying this illustration to the question at issue—specific laws existing at the time when the legislature acted in said special session, provided for certain police, judiciary and other officers, and the conduct of their duties. These laws were not repealed by the legislature, and are still in force. They are necessary and essential parts of the Government, and the legislature has failed to make appropriations therefor. This the legislature did not have the legal right to do, and therefore the provision in Section 54, calling the previous appropriation bill into action, is in full force and effect.

The only question remaining is, what is the last appropriation bill under which the Treasurer may, with the advice of the Governor, make payments? It seems to me very clear under the decision in Re Robert Boyd, supra, that the so-called six months' bills are the last complete appropriation bills under which warrants should be drawn. These bills, the Supreme Court held, are complete appropriation bills for the period they cover. They cover every portion of the Territorial Government necessary to be provided for. They are the latest expression of the will of the people, as voiced by the legislature, as to the needs of the various departments, and under such bills for the last six months the Government has been carried on successfully. To go back to the bills of 1901, when we have an appropriation for 1901, which the Supreme Court has held to be complete, I feel would be a mistake and would be questioned, as they would not be the last appropriation bills.

Respectfully submitted,
(Signed) LORIN ANDREWS,
Attorney General.

HOUSE COMMITTEE ON TERRITORIES

(Continued from page 1.)

gate expects to introduce them about Tuesday or Wednesday next.

Mr. E. P. Dole, former Attorney General of Hawaii, is in Washington and is stopping at the Riggs House.

The House Committee on Territories

wants more time to consider the county bill and the Senate will hardly be asked to act on that bill till the House Committee has made further inquiry. It looks as though the proposed legislation would drag along for a little while, at least.

The official proclamation about the federal control of Hawaiian lighthouses is entirely satisfactory here to the friends of the territory. The wonder is that the lighthouses had not been taken over by the government at an earlier date, as it was ascertained that the general law, appropriating money for the lighthouse service, applied to the lighthouses in Hawaii.

The Delegate from Hawaii is now striving to secure legislation that will fully compensate the islands for having supported the service during the years since annexation. He is meeting with good success. Senators and members of the House generally regard the status of the last few years as unjust and the amount necessary to fully reimburse the territorial government is not so large that the government is likely to mind paying it promptly.

The text of Gov. Carter's letter to Secretary Shaw on the subject of lighthouses has just been made public here in a House of Representatives document. It was written while he was still Secretary of the territory and while he was on his trip to New York about the territorial bonds. In the course of his comments, during which he alludes to a letter on the same subject written by Superintendent H. E. Cooper, Mr. Carter says:

"You will note in Mr. Cooper's letter a statement of the expenditure by the Territory on this account for the year ending June 30, 1903, of \$5,925.34. Three sessions of Congress have failed to provide for the protection of our coasts, notwithstanding the repeated attempts of our people to bring the matter to their attention. Even the report of the special committee of the Senate, consisting of Senators Mitchell, Foster, and Burton, which visited the islands brought no result. During this period the governor has been ready to cede whatever land the Light House Board might desire, and our people believe they have a right to ask Congress to reimburse them for the amount taken from their limited revenue to provide for humane reasons for what the Federal Government has failed to do."

"The American people with Hawaii in their possession and a little foresight can control the commerce of the Pacific, which with three-fifths of the world's population tributary to it will far surpass that of the Atlantic. While appropriations have been made through the river and harbor bill for all kinds of unheeded-of places, the harbor of Honolulu which carries a greater deep-sea American tonnage than any port other than New York City, is left to care for itself."

"During the period since annexation ocean steamers have been built and are now in use on the Pacific too deep for our channel, and to the neglect and shame of Congress, our own taxpayers, including many British and German subjects, have provided an appropriation for dredging even that portion of the harbor turned over by the act of annexation to Federal control forever, notwithstanding the contributions from this community, through customs and other revenues, far exceeds that of any other 150,000 people. Under these circumstances a failure of Congress to supplement our local expenditures will hardly reflect credit on the imperial policy of the Republican party. Already some of our Boston friends say we must expect to be neglected, as our form of government is unsuitable to expansion."

"The other items mentioned by Superintendent Cooper are of importance, particularly the erection of a Federal building at Hilo for custom house and post-office and a similar building in Honolulu."

"Another item of \$25,000 for the maintenance of buoys is perhaps of still more importance."

Probably much of the interest of the session of Congress henceforth will be in politics. The Democrats are putting on their war paint and will try to make a lot of political capital for use in the National Convention. That will bring a lot of Democratic politicians together. The Republican fences, however, are in good condition. The leaders in Senate and House are well prepared to resist the hostile advances.

ERNEST G. WALKER.

GOV. CARTER ON ISLAND TOUR

Governor Carter is not certain as yet that he will start on his tour of the islands tomorrow or not. If business will permit he will go on the Kinau which sails at noon tomorrow, accompanied by his secretary, Mr. Crendon, and Secretary Atkinson.

The party will go to Mahukona and from there start on a circuit of Hawaii. Mr. Atkinson will not be of the party on the long overland trip. After concluding his round of the big island the Governor will return to Honolulu.

ANOTHER ST. LOUIS CONFERENCE

There will probably be another conference today or tomorrow between Gov. Carter and Commissioner F. W. Macfarlane as to the advisability of sending a representative of Hawaii to the St. Louis fair immediately. It was hoped to make arrangements to send a man to St. Louis on the Korea yesterday, but the County Act difficulties and the visit of Gov. Taft prevented further action. If it is finally decided to make an exhibit in St. Louis a commissioner may be sent on the Alameda Wednesday as arrangements for the Hawaiian display must be made within a few weeks to insure an exhibit.

JUDGE HIGHTON'S VIEWS ON THE LATE COUNTY ACT

The Veteran California Lawyer Believes That County Matters Should Be Dropped Until the Next Territorial Legislature Meets.

Hon. Henry B. Highton, having been requested by the Advertiser to answer certain questions in relation to the County Government Act, expressed no reluctance but some diffidence in dealing with the subject, on account of the fact that he had only been in the Territory for year and a half, and because his views were not exactly coincident with any of the suggestions made at the conference in the Governor's office. With this preliminary, he answered the questions put to him substantially as follows:

Question: What, in your opinion, should be the outcome of the dilemma produced by the passage of the County Government Act, and the recent decisions of the Supreme Court?

Answer: I think the Territorial Government should be administered until the next legislature meets and acts upon the matter, precisely as if the County Government Act had not been passed.

Question: What do you consider should be done in relation to the County Government Act by Congress?

Answer: Nothing. On the general propositions, I have already and publicly expressed my opinion on that point, at the meeting held December 7th, 1903. I believe in local self-government representing the capable voting element in American communities, and when Congress conferred the right to organize and provide for the government of counties, I am convinced that it meant what it said, and that legislation on that subject should be exclusively by the territorial legislature. This is a general proposition, covering the whole question of the suggested ratification, now proposed to be coupled with amendment. But there are other and more limited and detailed reasons which apply definitely to the particular County Government Act now under consideration.

Question: What are those reasons?

Answer: Your question opens up a wide range of fact, and you must pardon me, if my answer is necessarily somewhat full. It will certainly represent my own ideas, and is not intended as a criticism upon the gentlemen by whom the County Government Act was prepared and enacted. My opinion is that the act should be entirely surrendered, on account of its terms and of the decision of the Supreme Court.

1. This Territory only has a population of about 253,000 of whom, in round numbers, nearly 100,000 are Asiatics, ineligible to citizenship. The conditions here are unique, and not paralleled on the mainland. Any system of county government locally adopted, to a certain extent should be original in its construction and adapted to the conditions as they exist. The County Act as passed, I regard as framed to a large degree upon lines applicable on the mainland, but inapplicable in these islands.

2. The existing act appears to me to be too cumbersome and involved, to embrace merely in one or two but in many places, subjects having no relevancy to its title and purpose, to lack terse grouping and classification, and, whether ratified by Congress or not, to be incapable of successful administration. On this part of the discussion a little detail may be in order.

The act embraces 510 sections and covers 158 pages of print. Clauses are scattered through different chapters, all of which cognate to one subject, would have to be grouped together. Under its provisions endless questions of interpretation and construction would arise, and much litigation would be the result.

The heading of the first Chapter is "County Boundaries." Under this heading, it would be naturally expected that no other matter would be included, except the segregation of the Territory into counties. But the chapter deals with judicial districts, tax districts and election districts, and provides a system of government for the Leper Settlement, which is organized into a county by itself. The greater part of the chapter has no relation to "County Boundaries." Among other things, it defines judicial jurisdiction and powers, and provides for fees to be collected by public officers. Here are three or four topics placed together, some of which are essentially territorial in their nature, and under a heading to which most of them have no application.

In Chapter 3, the "General Powers of Counties" and the method of their exercise are defined, followed by Title 2, Chapter 5, under the heading of "Powers of Counties." Chapter 6 applies to the Clerk of the Board of Supervisors, Chapter 7 to "Meetings of Board," and then, after two chapters on powers and intervening subjects, Chapter 8 covers "General Permanent Powers and Duties of the Board of Supervisors." The second section of this chapter in three lines confers powers relating to public roads, ferries and bridges, and then follows five provisions, covering the details of the administration of these powers, which should be simplified and condensed in some other portion of the act. Section 16 of this chapter compels the Board of Supervisors to "adopt all orders made or recommended by the Territorial Board of Health"—in other

words, if municipal legislation is necessary to carry out such orders, prescribes in what manner the Board of Supervisors shall act, and in advance how its legislative functions shall be exercised. This provision is obnoxious to two objections, first: that a county has not the right to legislate on territorial matters and, second: that a territorial legislature cannot create a Board of Supervisors and deprive it of any part of ordinary legislative discretion. Sections 27 and 28 of the same chapter provide for contempt proceedings and undertakes to define judicial duties. This is neither organizing nor governing a county, and, though proper enough, belongs to the department of territorial legislation.

Chapter 9, "Claims Against County," practically confers upon Boards of Supervisors the powers and exacts from them the performance of the duties of an auditor.

Chapter 27, Section 215, referring to the "Board of Equalization," properly defines false swearing to a statement as perjury, but its subject matter belongs to the Penal Code. The next section, 216, allows an appeal to the Supreme Court from decisions of Boards of Supervisors, and, after the filing of certified records, requires the appeal to "be considered by the Supreme Court." This is another example of territorial legislation which has no place in a county government law.

Section 221, of Chapter 27, establishes a "Board of Equalization of taxes for the Territory." This is another illustration, under the decisions already made, of the incorporation of territorial legislation into a county act.

Chapter 31 deals with "Territorial Revenue," and enumerates collections of inheritance taxes, stamp taxes, fees and costs paid to the Superintendent of Public Instruction, fees of various other kinds paid to territorial officers, and incomes derived from lands and other sources, as payable into the territorial treasury. This entire subject has nothing to do with the title or object of the act.

Chapter 33 defines "Territorial Charges."

The entire subject of licenses is minutely provided for in twenty-seven chapters, spread over twenty-four pages. Licenses, therefore, within counties, are provided for by a territorial law, to be administered through the counties. This exercise of authority by the territorial legislature may be legally permissible, but it is a serious invasion of the principle of local self-government. If licenses within counties are to be directly imposed by the territorial legislature, then, it appears to me, it should be done by legislation outside of the county act. If, on the other hand, the exaction of licenses is to be held within the rule of local self-government, then it should be included within the powers of Boards of Supervisors, so that, in this part of the administration of public business, localities should be adequately represented.

Chapter 36, Section 361, undertakes to re-enact or confirm the territorial laws in force regulating the manufacture and sale of intoxicating liquors. The same course is pursued as to doctors and apothecaries in Chapter 61, Section 364, and the very next section transfers the duties in this direction previously devolved upon the Minister of the Interior to the Secretary of the Territory.

Chapter 64 undertakes to establish a "Territorial Board of Public Institutions." On this point, in view of the decisions, nothing further need be said.

Chapter 65 confirms preexisting territorial laws, and in section 395 locates "the penitentiary of the Territory" and, by section 397, provides for its control and management by a territorial board. It further requires "houses of correction" to be erected and maintained for territorial purposes.

Title 7 deals in extensive with elections, and in Chapter 82, section 455, defines the jurisdiction of election contests by the Circuit Courts.

Chapter 86 provides for the "Transfer of Property" from territorial to county officers. This important duty, which was to have been performed January 4th, 1904, and which affects real estate as well as personal property, appears to me to be clearly within the lines of territorial legislation, auxiliary to but not part of a law establishing counties and providing for their government.

This answer to your question is long, but it is very brief compared to what might be said, for it is made up of a few conspicuous reasons, controlling my judgment, why the now obsolete County Government Act cannot be amended, or revised, either by the Territorial Legislature or by Congress, or by both combined, so as to render it a valid and effective law.

Question: What, then, should be done? Do you recommend the abandonment of local self-government?

Answer: Assuredly not. I think it expedient that the defect act be abandoned, although many of its provisions may be ultimately adopted, and that, before the meeting of the next legislature, a new act be prepared for consideration—which:

1. Should be moulded upon the existing facts and actual conditions in this Territory—and as far as possible should protect skilled American labor from Asiatic competition.

2. Should be concise and simple in its provisions.

3. In which each topic should be segregated and treated in one place.

4. Should be thoroughly systematic-

ed and brought within definite classifications.

5. Should not invade territorial legislation.

6. Should practically enforce economy and avoid the unnecessary multiplication of offices and increase of expenses.

I believe that an act can be prepared that would be constitutional, valid and intelligible. It would require a territorial act, making due provision for the changes and transfers that county government would necessitate. It is this auxiliary legislation, no part of a county act itself, and involving questions of title to real property, that might appropriately be submitted for Congressional approval.

A. G. M. ROBERTSON'S FORCIBLE PLEA.

"I very much doubt if Congress can delegate to the legislature of Hawaii the power to amend the County Act," said A. G. M. Robertson last evening. "While I have not given the question very much study, it is my opinion, off hand, that Congress cannot enact the county law and permit the legislature to amend it. And if that is the case I am opposed to going to Congress for relief and would advocate action by the local legislature."

"It has been held by the courts that Congress cannot delegate to executive officers, legislative functions; by the same reasoning I do not believe it can delegate the power to our local legislature, to amend the county act, once it has been passed by Congress. The passage of the bill now before Congress is not a ratification of the county act, as General Hartwell said at the meeting the other morning, but it is the enactment of a new law. It will then become a Congressional act and in my opinion cannot be amended except by act of Congress."

"I believe the legislature can pass a county act within the limitations of the Organic Act. It will take time, though. The present act can be much improved upon. The report had to be made in a hurry and before time was given to carefully consider the proposed bill."

"If as reported Congress intends to modify or amend the county act, and it seems as if this is likely to be done, it confirms me more than ever in the opinion, that the local legislature cannot afterwards make changes in it. The Organic Act does not, in my opinion, delegate any power of amendment to the legislature. The sections which give the legislature power to amend existing laws refer to the old Hawaiian statutes and not to any portions of the Organic Act."

"We are without a valid county act now and the situation differs from what it was before the decision of the Supreme Court. Congress would not now be ratifying an act of the local legislature, for this is not a valid one, and it would be a Congressional law, pure and simple. And I am very doubtful if Congress could delegate its power of amendment to the local legislature. It is a question which furnishes food for thought, and which should be brooded to finality."

JAPAN IS READY TO RACE HAWAII

The challenge of a prominent Yokohama sportsman to bet \$5,000 on a boat designed here against a similar boat designed in the Hawaiian Islands, as indicated in these columns, has apparently borne fruit. The challenged party, Mr. H. E. Walker, has returned to Honolulu and private and public advice go to state that the needed boat will be forthcoming. There seems to be some confusion as to the nature of the stake in the printed versions in Honolulu but granted that the conditions are complied with, there is no doubt but that an interesting race is assured.—Japan Gazette.

HEAVY REWARD FOR DYNAMITERS

A fund of \$2,000 has been raised on Kauai which is offered by Sheriff Coney for information leading to the arrest and conviction of the men who murdered Arthur Glennon, the engineer in charge of the Makaweli ditch, last week. The first reward offered was \$1200 and private subscriptions have increased the amount to \$2,000. Passengers coming from Kauai on yesterday's steamers report that the police have obtained no clue to the perpetrators of the outrage, although it is hoped that the big reward will induce some of the Japanese to inform on the murderers.

Berger Wanted a Legal Opinion.

Kappelmeyer Berger since his recent differences with the legislature over the matter of appropriations for the band, and how legally to spend them, doesn't make any more experiments without being fully advised in the premises.

When a farewell concert to Gov. Taft was first broached to Herr Berger he consented, but with a proviso. He wasn't at all certain that he had a right to play band music on a wharf on the Sabbath day. So he asked Attorney General Andrews for an opinion, first whether it was legal for him to play on a wharf on Sunday, when he had already advertised a concert at Mahealani, and second whether it was lawful to play anything but sacred music on the Sabbath. The bandmaster received an affirmative opinion on both questions and so the band concert was played as advertised, and Captain Berger is certain now that the legislature can never throw it up to him when he asks for his new appropriations next year.

SENATORS ARE SHY

A Bare Majority Here for Caucus.

But a bare majority of Senators will be present at the caucus called for this morning by Governor Carter to consider the County Act and appropriations.

Senators Baldwin, Nakapahu and Wilcox arrived on the W. G. Hall yesterday from Kauai, and the Claudine brought Senator Kaohi from Maui. Contrary to expectations none of the Hawaii Senators came over on the Kinau Saturday and only eight Senators will be present at the Senatorial caucus this morning.

With Baldwin, Nakapahu, Kaohi and Wilcox are but four Oahu Senators: President Crabbe, Kalauokalani, Achi and Isenberg. Senator Cecil Brown is en route to Japan on the Siberia and Senator McCandless is on the mainland. Senator Dickey of Maui is on Hawaii to be gone for a month. The Hawaii Senators, J. D. Paris, J. T. Brown, Kalae and Palmer Woods, evidently did not receive the wireless messages sent out by Secretary Atkinson. He has received no replies from any of the Hawaii Senators.

It is doubtful if the Senators will recommend a special session, although several of the Oahu members favor it. Senator Wilcox said yesterday that Kauai accepted the County Act decision good naturedly, and that every sentiment he had heard expressed was opposed to a special session. In view of the opinion of the Attorney General regarding the use of old appropriations it is probable also that a majority of the Senators will also oppose another session.

LAWYERS FLOCK TO GET A CASE

Nothing of importance was learned yesterday from Nomua, the Japanese suspected of having fired the residence of George Robertson on Saturday morning. The man is held in strict confinement at the Police Station, and no one is permitted to talk with him.

Attorneys seem to have scented a good case, with the fee attached, in Nomua, for the officers have been besieged by lawyers who wished to "talk the matter over" with Nomua. The Deputy has been threatened with all sorts of court proceedings if he did not let them into Nomua's presence, but all were refused the coveted honor.

Should Nomua be held it is believed that he will not want for funds for a defence. The presence of so many attorneys seeking to defend a Japanese who drew only the wages of a yard-boy, seems to indicate that there is backing of some kind behind him. It is probable that the matter will be investigated at first hand by the grand jury. The matter is likely to be presented to that body today for consideration.

Ashford Loses His Suit Against Rapid Transit.

Judge Lindsay decided on Saturday that the Rapid Transit Co. was not compelled to carry C. W. Ashford beyond the power house after he had been notified that the car in which he had taken a seat would be switched off at Alapai street.

Ashford brought suit against the electric street car company for \$300 damages. In all three actions he claimed that he boarded a street car on King street, but was informed that it would be taken off at Alapai street, and was requested by the conductor to take the car ahead. This Ashford refused to do as the forward car was filled and there were no vacant seats. Ashford claimed damages for \$100 in three different suits, for the failure of the company to carry out its contract and carry him to his destination, instead of shunting him into the car barn. He argued that there was a violation of contract, while the defendant company contended that the plaintiff had been plainly told that he would not be carried beyond Alapai street, and that he should have taken the car ahead.

Judge Lindsay in giving his decision simply held for the defendant. While not passing specifically on the questions raised, Judge Lindsay's opinion was that Mr. Ashford had been properly notified by the conductor that the car which he had boarded would not take him where he wanted to go. Consequently he should have either taken the car ahead or else could have refused to ride. On the question of the plaintiff's right to a seat the court did not pass. An appeal will probably be taken by Mr. Ashford to the Supreme Court.

WALTER G. SMITH, Editor.

SUBSCRIPTION RATES.

Per Month \$.50
Per Month, Foreign75
Per Year 5.00
Per Year, Foreign 6.00

Payable invariably in advance.

A. W. PEARSON,
Manager.

TUESDAY, JANUARY 19

THE POLITICS OF IT.

The Bulletin's outcry that it is necessary to save this particular County Act to secure a Republican victory in the Fall campaign may split the ears of the groundlings but it makes the judicials grope. How the surrender of home rule to the Federal law-makers could commend the Republican party of Hawaii to an electorate which makes self-government its slogan and cherishes it as a prize, passes understanding. Nor is it clear how the Republican party, fighting for a lawful County Act at the hands of a competent Legislature, could enlist the enmity of those who have been seeking an operative County law ever since annexation. Who is there worth considering that would not prefer a good County Act which is made at home, one suited to our particular conditions, to a bad County Act, ratified and perpetuated with all its imperfections on its head by a legislative body 5000 miles away which would undoubtedly keep the power of amendment in its own hands? Once turn this means of self-government over to Congress, and Hawaii will open a Pandora box of ills. Keep it and we can work out our own salvation like other American communities.

So far as the next election is concerned the Republicans can carry it if they want to. Conditions are fast changing in the electorate. In the first place there is a large class of Hawaiians who are very wide awake indeed to the wisdom of voting with those who feel them. Second, an immense increase in the Portuguese vote will occur this year and the Portuguese usually act in politics with the conservative interests here. Third, the Chinese-American vote just coming of age, is henceforth going to cut a large figure in the Fifth District and will, we are told, affiliate with the Republicans. Fourth, by a decision of the U. S. Supreme Court, rendered last week, the four or five thousand Porto Ricans in Hawaii may vote and if the Republican managers can't rally them they had better get out of politics and make fudge. Shunning the whole thing up, this Territory can be carried next fall by a big Republican majority, no matter whether County legislation is held in abeyance or not. Even if the Bulletin should stop as it did last year and advise the total abandonment of the County Act, the political result would not be materially affected.

"DRIVE ON."

"The thing to do," said Black Bart, as he peered through the bushes at the hesitating stage, "is to request the driver to DRIVE ON. Otherwise we may never get a whack at the treasure box." Upon this there was great excitement among the highwaymen and the opinion was freely expressed that if the driver should turn around or go by another road he would lose the confidence of every freebooter in the business.

In the Call of January 9, Serejo S. Pratt, editor of the Wall Street Journal, contributes a long-range vaticination on Hawaiian politics. There is some fact in the article mixed with statements and deductions against which even hardened risibles are not proof. For example, after stating that the Hawaiians are not friendly to the United States, the Wall Street commentator says: "We are holding Hawaii, so far as the natives are concerned, as a conquered country. We are holding it by moral force, it is true, for the army of occupation is small. Camp McKinley, near Honolulu, the only military post on the islands, could not long survive an attack by the natives in force. But the Hawaiians know that the shores of the American mainland are not far away, and that with the vessels at the command of the United States it would be a matter of a few days only before a force large enough to exterminate them could be landed."

"It is the moral force of this knowledge that holds the Hawaiians from open rebellion against the United States; not any love for this country or its people or its institutions." And to think that a group which the white community of Honolulu held in the hollow of its hand during five revolutionary years, while awaiting annexation, is now only kept from rebelling against the United States by the moral influence of the Navy!

Does any one suppose that Congress would ratify that part of the County Act—the hackmen's clauses—which violate a treaty with Japan which a part of Congress framed? Amendment would be made there and then, and when the work of amendment begins there is no telling where it would stop.

Secretary Taft may arrive this morning. The need of early work upon the defenses of the cable and the port will, we trust, be forcibly stated to him. That is a subject with which he will soon be called upon to deal officially.

If Treasurer Kapohala is a Republican and if he lives in hope of a Republican judicial appointment, he will not go into the enemy's ranks in search of a Tax Assessor.

TOURISTS DON'T COME.

The Advertiser hears it denied at Promotion headquarters that there are fewer tourists in town than is usual at this time of year. It is argued that the hotels have more guests than they had a twelvemonth ago, hence there must be more; strangers present. But this argument does not take account of the fact that since the Alexander Young hotel was built and the menus of all the hotels improved, many city residents have exchanged housekeeping for hotel boarding and must thus be subtracted from the grand totals of "tourists" so confidently shown.

The way to get accurate data about tourists is easy enough. Hotel keepers can segregate the two classes of patrons and we feel at liberty to doubt that they will find much tourist encouragement when they do. They say they won't. Then there is the steamship data. For off-hand comparison we take the passenger lists of the last two steamers from the coast—the Siberia and Alameda—and contrast them with the rosters of the last two steamers arriving in port up to one year ago today. Here are the figures:

1908—99 Passengers for Honolulu.
1904—79 Passengers for Honolulu.

Thus we have a concrete illustration of the fact which attracted the attention of Captain Houdiette of the Sierra and led Mr. Macfarlane to write his letter of inquiry to a tourist agent at Los Angeles. And yet Hawaii has, for the first time, piled thousands upon thousands to pay for tourist advertising beginning last August and continuing until now when the tourist season is half over.

It is just as Mr. Macfarlane says—THERE IS SOME OBSTRUCTION IN THE WAY. What is it?

The Advertiser has pointed out one obstruction, namely, the nature of our tourist advertising—in the invitation given the frost-bitten northerners to come here and see more snow. But it believes that even this disadvantage would be overcome if the ocean steamship companies could be got to put down rates to a level with those which are given competing resorts. Four fine twin-screw steamers carry people from Boston to Jamaica and return for \$75. Limited trains take people from San Francisco to the City of Mexico and return for \$100. The steamship companies want \$125 to carry a tourist from San Francisco to Honolulu and back. It is easy to imagine what the tourist says to such a proposition. He goes anywhere but to Honolulu.

To get tourists we must make the facilities of coming here as cheap as they are to places with just as good winter attractions as our own.

PROGRESS, THE ICONOCLAST.

If it is true that the old empire of Peral is thinking about a school system modeled upon that of the United States, the Arabian Nights entertainment which she has been affording travelers ever since historical wayfaring began will soon draw its curtains and put cabs in its basars. The common school has the seeds in it of all kinds of change. It is capable of lifting the astrakhan hat off the swarthy brow of Abdul Mirza Khan and replacing it with the visored headpiece of the chauffeur; it can put a checked suit on him, a four-in-hand tie about his throat, and garb his once sandaled feet in waukenphasts. If the school comes, the sky-scraper will follow, the paved street, the trolley car, the automobile, the piped water, the Paris modes, the sewer, the policeman, the political Judge, the beer garden, the daily paper and the primaries—for of such is the Kingdom of Knowledge. And mayhap, before long, the columns of the Teheran Commercial Advertiser will run dry with a discussion of whether or not the teachers of the new schools are putting in enough time at their tasks.

There won't be much left of the Asia of romance after awhile. The country over which Kublai and Genghis led their invincible spearmen now rings with the whirl of car-wheel upon rail and rumbles with artillery and is made electric with the talking wire. China imports sewing machines and beer; India is learning English in her public schools; Japan, which Marco Polo saw, is now a modern manufacturing State; there are American colleges in Asia Minor; one hears talk of a Bagdad railway; into Tibet marches a civilizing column of Anglo-Saxon troops with the trader at its heels; and in Bible lands one hears the call of the conductor: "Jerusalem! twenty minutes for refreshments! All aboard for Bethlehem! Change cars for Nazareth!"

Ah! if they would but save one place in all Asia from the contamination of the Twentieth Century—one place where Nasr Ahmed Din would sit smoking in his bazar and where, from between the jagged shutters of the seraglio, eyes would peep and flash; one place where the tinkling of the caravan and the muezzin's call would abide forever and the sound of the school bell and of the newsboy could never be heard; just one musky corner of the world where the throb of the Indian drum and the reedy whine of the Chinese flute would hear no jarring alien note. But it is not to be! The world must be civilized, which means making it commonplace and giving it ills and vices that it knew not of. Make way for the graded school. That comes next after the missionary and the Arabian Nights grow tawdry and garish as the beams of modern knowledge shine out upon them from the arc.

The opinions of Attorney General Anderson, the law officer of the Territory, of Hon. A. G. M. Robertson, one of Honolulu's leading attorneys, and of Hon. H. E. Highton, than whom no lawyer of the West has conducted more important litigation, illuminate, in these columns, various questions raised by the Supreme Court decision against the County Act. Together they constitute a text book for the interested "alt."

PEOPLE SHOULD LOOK BEFORE THEY LEAP.

Boil the opinions down and you reach this result: To draw a county act which will hold water is a very difficult thing. It will take much time, even with the experience we have to draw such an act, and there would be flaws, which even the greatest care could hardly prevent. The present county act may be legalized in Congress with certain modifications. We have appealed to our supreme authority and it is clear that we should wait till that authority is heard from. To call the legislature together is to entail expenses upon the community which it can ill-afford, in point of fact, which it cannot afford. The eighteen months appropriation bill does not meet the situation since it does not provide for the running of certain departments of the government. The Organic Act was framed to meet just such an emergency, and we should have the government conducted under this section which allows the Governor to fall back upon the old appropriation bill of 1901, and then take time and thought as to the future. That is the argument in a nutshell, and the gist of what the leading minds agreed on.

If this advice is followed we weather a stormy cape in the political history of the Territory. In point of fact it is the only logical method to follow. There is no immediate need of haste. There is need of giving time and thought to the subject. The calling together of a set of representative citizens was a wise move on the part of the Governor, because it enabled him to get direct opinions from which there can be no receding. The Attorney General naturally has been called upon for an opinion and that will help the Governor. But the true help of the Governor lies with the people. This is a time when he needs the strongest of support, and the best support that can be given him is not to hasten into great argument or wild proposals, but to wait and think. This is not a subject for thoughtless or careless action. It is a matter for calm deliberation—Star.

Settlers will soon be coming this way if a project now in the hands of the Hawaii Promotion Committee can be successfully pushed to completion. Secretary Boyd of the committee has received inquiries from the American Trust & Investment Co. of Des Moines, Iowa, for a large tract of land which can be subdivided and sold to American settlers. Three large tracts of land have been secured through the efforts of the committee, to be placed at the disposal of the American Trust & Investment Co., provided terms are satisfactory.

The letter relating to the prospective coming of settlers is as follows:

Des Moines, Iowa, Dec. 21, 1903.
To the Hawaii Promotion Committee:
We are looking for a good opportunity for securing a large tract of land for the purposes of selling out in smaller pieces to settlers. What opportunities are there to be found in the Hawaiian Islands?

Please give us such information as you can as to lands, available places and what the inducements are to buyers. What can be produced from it, climate, etc.

Hoping to hear from you soon, we are
Yours truly,
AMERICAN INVESTMENT & TRUST CO.

By Angus McKinnon, President.

Because of the fact that the Territory cannot under the Organic Act alienate lands, in tracts of more than one thousand acres to any corporation, the Hawaii Promotion Committee sent copies of the letter of inquiry to the various real estate agents of the Territory. In reply offers have been received, placing at the disposal of the Promotion Committee three tracts of land, from 1500 to 5000 acres each in extent which are suitable for small farmers. These offers have been forwarded to the company at Des Moines, and probably some definite arrangement may soon be made as to the taking over of a tract for settlement. Whether the deal goes through or not, the fact that large corporations are beginning to look this way, is taken as an indication of progress for Hawaii in the future. Not only would the Territory benefit from the settlement of a large tract by small farmers, but it is felt also that the advertising made necessary in disposing of the land by the American Trust & Investment Co. would result in great good to the islands.

Among the special features of the Sunday Advertiser tomorrow will be Col. Fitch's first Hawaiian article entitled "My War With Japan," a gossip San Francisco letter by S. Marion Weekes, a valuable human interest story about Secretary Taft, and the Bystander's comments on the passing show. All the news besides.

We have been unable to see in what Constitutional manner Congress can enact a Territorial County Act delegating to the Territory the power to amend the same.

The building of the Panama canal will go far to isolate such ports as Lima, Valparaiso, Montevideo, Buenos Ayres, Rio de Janeiro and Bahia. Now they are stopping-places for steamers going around the Horn; but as the canal will cut off such traffic, the southern cities will have to depend on their local coastwise trade and such steamers as ply between them and Europe and Australia. Probably the changed conditions will help along longitudinal railway projects in South America.

The local Weather Bureau calls this fair weather with passing showers. It ought to be showers with passing fair weather.

Perdita—"It doesn't matter if this is the third installment of the story. The synopsis is printed telling how the first chapters went; so you can start reading it from here." Penelope—"Yes; but how stupid of them not to have the synopsis told how it ends!"—Judge.

SECRETARY TAFT INSPECTS NEW SITE FOR FORT.

(Continued from page 1.)

some waterfronters had prophesied. The vessel cast off exactly at 4:01 p. m. and twenty-seven minutes later she had straightened out opposite the light-house and went full speed ahead out of the channel. As the vessel went out sternwards from the Hackfeld dock through the harbor until opposite the Naval slip, her maneuver can be better appreciated. Her stern was backed into the Naval slip, her bow was swung around until she pointed directly for the channel, and then with a farewell blast of her deep whistle, the vessel was off for San Francisco.

It was the first time that a vessel of the Korea's size had ever attempted to dock in the Ewa end of the harbor. The vessel was deeply laden when she arrived from the Orient, having landed 1800 tons of freight here, but in spite of her depth she found plenty of sea room beneath her. There is a channel averaging thirty-one feet which runs from the lighthouse in a fairly straight line to the Hackfeld and Railroad wharves. Had the big basin between the Hackfeld, Oceanic and Brewer wharves been dredged to the same depth as the channel the Korea could have made her turn in that section.

By 8 o'clock the wharf became congested with people and the decks of the steamer were thronged with sightseers. Masses of flowers were carried away by the passengers. The Hawaiian band appeared on the dock and played for an hour in honor of Gov. Taft.

Just before sailing, time Secretary Taft, accompanied by Secretary Atkinson and Captain McK. Williamson, U. S. A., went up the gangway. The Secretary made his farewells on the main deck. Governor Carter had gone aboard a few minutes before with flowers for Secretary Taft. The Governor, Secretary and other officials afterwards boarded the tug Fearless, with the band, and preceded the liner until she left the channel.

Among those who departed from Honolulu were W. O. Smith, who goes to Washington in the interest of the Planters' Association, and possibly for the Hawaiian Electric Company. A. Garley, general manager of the Hawaiian Electric Company, was also a passenger en route to Washington, to appear in the matter of the franchise.

D. L. Withington is also en route to Washington.

L. A. Thurston goes to San Francisco on business. Clinton J. Hutchins also went to San Francisco, in the interest of the remodelled Kona plantation lands, with the report of the Honolulu Iron Works on the mill and other operating machinery, including the railroad.

Col. and Mrs. Cunningham return to Salt Lake City. Col. Cunningham was an unsuccessful bidder for the Pualoa Sheep Ranch.

Dr. and Mrs. R. P. Myers were among the kamaeas who departed, probably never to return. They were bidden goodbye by a large number of friends, the doctor saying that he went away, an "unreconstructed Southerner as of yore."

VIZIER WAS DELIGHTED.

Persia's Grand-Vizier and his suite devoted most of their time in port yesterday to taking in the sights of the city. They went to the Fall in the forenoon and were early aboard the Korea, having lunched at the Young Hotel. The crowds on the dock and decks of the steamer interested the party greatly. Several of the people, who met the Prime Minister here bade him goodbye on the steamer.

Through his interpreter the Grand Vizier said that Honolulu was a delightful place. He had not expected to find such large buildings in Honolulu, believing that it was an island city still undeveloped. He said he was quite unprepared to find a well-built metropolitan city, but it gave him an idea as to what he should expect on a much grander scale in the cities on the mainland.

George Francis Train, whose death occurred last night in New York, was something more than an eccentric character. He it was who organized the clipper ship line that sailed around Cape Horn to San Francisco in '49 and made American shipping lead the world; he organized the Credit Mobilier and the Union Pacific railroad; he was one of the organizers of the French Commune; he built the first street railway in England; he was the business partner of queens, emperors and grand dukes, the familiar friend of the greatest people on earth. He was in jail fifteen times and never committed a crime. He made seventy and more sea voyages and broke the around-the-world record three times. He formerly lived in a villa and spent \$2000 a week maintaining it. He died in a \$3 per week room in Mills Hotel.

If Federal officials are kept out of the Republican National Convention it will be at the wish of President Roosevelt who, in Arthur's day, scored packed conventions unsparsingly. President Harrison was nominated the last time against Blaine by delegates from post-offices and customs, and the fact lost him votes at the polls. It is the work of the popular convention which suits best, and upon which President Roosevelt is more than willing to depend.

The article in yesterday's paper entitled In Defense of General MacArthur should have been credited to the Army & Navy Journal.

MEHEULA TO STAND TRIAL.

Judge Dole Finds Charge Within Federal Statutes.

Judge Dole, after exhaustive hearings, yesterday rendered a decision overruling, on both points, the demurrer to indictment of Solomon Meheula, Clerk of the House of Representatives, as an "officer," for destroying public documents.

R. W. Breckons, District Attorney, appeared for the United States, and C. W. Ashford for the defendant. The demurrer was based on the grounds (1), that it did not appear in the indictment that the defendant was an officer of the United States, or an officer at all within the intent of the statute under which it was brought; and (2), that it did not appear that the vouchers of House expenditures mentioned in the indictment were such documents or papers as were contemplated in the statutes in question or any other statute of the United States.

The decision says the case turns mainly upon the construction of the word "officer" in Sec. 5405 of the Revised Statutes. "Does it mean an officer of the United States, as created by law under the specific enactments of the Constitution, under which the President appoints, with the advice and consent of the Senate, certain officers; and Congress may vest the appointment of other officers in the President, courts of law and heads of departments; or is it used in a more popular sense in which it may include officers not appointed as above provided?"

Judge Dole, after showing the absolute sovereignty of Congress over territories of the United States and citing the related statutes, answers the question just quoted with the following conclusions:

"This court has no authority to limit the application of this statute where it is not limited by its own language or by contemporary law. The defendant was an officer of the territorial government; his office was created by Congress, and he had duties to perform which Congress had required from him as such officer. His duties appertained to matters which related to the Federal Government which had the responsibility of the Government of the Territory—the proper enactment of legislation."

(Continued on Page 5.)

LOCAL BREVITIES.

(From Saturday's Daily.)

L. R. Crook, attorney, Walluku, and Miss Marion G. Dowsett, daughter of the late Jas. I. Dowsett, are engaged to be married.

The new Lighthouse Inspector went to Kona yesterday. He will look over the various lights on Hawaii, and possibly Maui, before returning.

Judge De Bolt has completed a draft of new Circuit Court rules for all the circuits, and will probably find a way to have it submitted to all his brother Judges, besides members of the bar, for suggestions of amendments.

Frank Hadley, the new instructor in manual training at Oahu College, was formerly at a university at Fort Collins, Colo. Upon severing his connection as an instructor in the latter institution to come to Honolulu he was presented with a valuable watch and chain by his associates and pupils.

(From Sunday's Daily.)

Hana plantation mill is running to its full capacity, and will shortly ship 16,000 bags of sugar to the Coast on the "James Holt"—Maui News.

Reports brought by the W. G. Hall from Kauai yesterday say that the county officers surrendered their offices to the Territorial officers without demur.

The Oahu Board of Supervisors will meet this morning and adjourn. Clerk Murray will at that time surrender the bonds in his hands and the payment of premiums upon them will stop. The Home Rulers may make an effort to force the board to appeal from the County Act decision.

Secretary Atkinson forwarded to Delegate Kuhio by the Siberia a letter fully acquainting him with all matters connected with the Supreme Court's decision invalidating the County Act. The cabled instructions to the Delegate to press the County Act in Congress are followed up in the letter.

Dr. Hoffmann has been called by wireless telegraph to attend W. von Graevemeyer at Pihonua, Hilo, who is suffering from hemorrhage of the stomach.

J. K. Nabala, who had qualified as county auditor of West Hawaii, has written to Secretary Atkinson for instructions as to the disposal of \$1200 collected in license fees, etc.

Owing to repairs of the floor in its courtroom, the Supreme Court sat in Justice Perry's chamber yesterday. Besides calling the calendar the court heard Lyman vs. Winter et al on motion to dismiss.

Diamond Head Charlie reports that the reason he is unable to communicate distinctly the arrival of vessels, is the fact that a telephone pole fell and has been lying across his telephone wire for some days.

Superintendent J. D. McVeigh has announced by letter to S. M. Damon the completion of the home for blind women at the Leper Settlement. On behalf of the beneficiaries he wishes their heartfelt thanks to be conveyed to C. R. Bishop for his generous gift of the fine home.

Get the Most Out of Your Food

You don't find it if your stomach is weak. A weak stomach does not digest all that is ordinarily taken into it. It gets tired easily, and what it fails to digest is wasted.

Among the signs of a weak stomach are uneasiness after eating, fits of nervous headache, and disagreeable belching.

"I have taken Hood's Sarsaparilla at different times for stomach troubles, and a run down condition of the system, and have been greatly benefited by its use. I would not be without it in my family. I am troubled with weak stomach and nausea and find Hood's Sarsaparilla invaluable." R. H. HICKMAN, W. Chester, Pa.

Hood's Sarsaparilla and Pills

Strengthen and tone the stomach and the whole digestive system.

BUSINESS CARDS.

H. HACKFELD & CO., LTD.—General Commission Agents, Queen St., Honolulu, H. I.

F. A. SCHAEFER & CO.—Importers and Commission Merchants, Honolulu, Hawaiian Islands.

LEWERS & COOK—(Robert Lewers, F. J. Lowrey, C. M. Cook.)—Importers and dealers in lumber and building materials. Office, 414 Fort St.

HONOLULU IRON WORKS CO.—Manufacturers of every description made to order.

HONOLULU STOCK EXCHANGE.

Honolulu, January 15, 1904.

NAME OF STOCK.	Capital.	Val.	Bid.	Ask.
MERCANTILE.				
BREWER & CO.	\$1,000,000	100	...	215
SUGAR.				
Ewa	5,000,000	20	...	30
Haw. Agricultural Co.	1,000,000	100	...	170
Haw. Com. & Sugar Co.	2,512,750	100	...	47
Haw. Sugar Co.	3,000,000	100	...	85
Honolulu	750,000	100	...	120 1/2
Honolulu	3,000,000	20	...	12
Kala	500,000	100	...	100
Kahuku	500,000	20	...	30
Kihikihi Plant. Co., Ltd.	2,500,000	50	...	...
Kihikihi	150,000	100	...	150
Kona	250,000	100	...	100
McBryde Sugar Co., Ltd.	3,500,000	100	...	...
Oahu Sugar Co.	5,000,000	100	...	...
Oahu	1,000,000	20	...	20
Oahu	250,000	100	...	...
Oahu Sugar Co., Ltd.	5,000,000	20	...	...
Olowalu	150,000	100	...	...
Pasadena Sugar Plant.	5,000,000	50	...	...
Pasadena	500,000	100	...	...
Pala	750,000	100	...	150
Peepee	750,000	100	...	105
Pioneer	750,000	100	...	...
Waialua Agri. Co.	4,500,000	100	...	...
Waialua	700,000	100	...	...
Waimanalo	250,000	100	...	...
STEAMSHIP CO'S.				
Wilder & S. Co.	500,000	100	...	...
Intercolonial & S. Co.	800,000	100	...	...
MISCELLANEOUS.				
Haw. Electric Co.	500,000	100	...	...
H. R. T. & L. Co., Ltd.	1,000,000	100	...	...
H. R. T. & L. Co., Ltd.	1,000,000	100	...	...
O. R. & L. Co., Ltd.	1,000,000	100	...	...
Hilo E. R. Co.	1,000,000	20	...	...
BONDS.				
Haw. Gov't, 5 p.c.	...	...	...	97
Haw. Ter. 4 p.c. (Fire)	...	...	...	...
Hilo E. R. Co., 5 p.c.	...	...	...	100
Hon. E. R. & L. Co.	...	...	...	104
Ewa Plant, 6 p.c.	...	...	...	100
O. R. & L. Co., 6 p.c.	...	...	...	100
Oahu Plant, 6 p.c.	...	...	...	100
Waialua Ag. Co., 5 p.c.	...	...	...	100
Kahuku 6 p.c.	...	...	...	100
Pioneer Mill Co., 5 p.c.	...	...	...	100

METEOROLOGICAL RECORD.

By the Government Survey, Published Every Monday.

Day	January	BAROM.	TEMP.	REL. HUM.	WIND	FORCE
		a.m.	p.m.			
M	9	30.10	80.08	69	77	0-7
T	10	30.07	77.37	68	77	0-6
W	11	30.10	78.05	68	77	0-6
Th	12	30.10	78.05	68	77	0-6
F	13	30.10	78.05	68	77	0-6
S	14	30.10	78.05	68	77	0-6
S	15	30.10	78.05	68	77	0-6

* 4-10-2. ** NNE-SE. *** SW-NNE.
Barometer corrected to 32 F. and sea level, and for standard gravity of Lat. 45. This correction is—0.4 for Honolulu.

TIDES, SUN AND MOON.

TIDES, SUN AND MOON.									
Days	January	High Tide Range.	Hi of Tide	High Tide Small.	Low Tide Large.	Low Tide Small.	Sun rise.	Sun set.	Moon rise and set.
M	15	4.44	7.4	p.m.	4.21	9.40	11.00	6.41	5.45
T	16	4.22	7.4	p.m.	5.08	10.17	11.30	6.40	5.45
W	17	5.08	7.4	p.m.	5.34	10.17	11.30	6.41	5.45
Th	18	5.34	7.1	p.m.	5.34	10.17	11.30	6.40	5.45
F	19	5.17	7.1	p.m.	5.08	10.17	11.30	6.41	5.45
S	20	6.50	1.3	a.m.	6.23	1.03	0.48	6.40	5.45
S	21	7.36	1.3	a.m.	7.08	1.32	0.32	6.40	5.45
S	22	10.42	1.3	a.m.	9.52	1.32	0.32	6.40	5.45
S	23	10.42	1.3	a.m.	9.52	1.32	0.32	6.40	5.45
S	24	10.42	1.3	a.m.	9.52	1.32	0.32	6.40	5.45
S	25	10.42	1.3	a.m.	9.52	1.32	0.32	6.40	5.45
S	26	10.42	1.3	a.m.	9.52	1.32	0.32	6.40	5.45
S	27	10.42	1.3	a.m.	9.52	1.32	0.32	6.40	5.45
S	28	10.42	1.3	a.m.	9.52	1.32	0.32	6.40	5.45
S	29	10.42	1.3	a.m.	9.52	1.32	0.32	6.40	5.45
S	30	10.42	1.3	a.m.	9.52	1.32	0.32	6.40	5.45
S	31	10.42	1.3	a.m.	9.52	1.32	0.32	6.40	5.45

On Shore and Facing Eastward

SOUTHERN PACIFIC offers

Choice of Routes and
Choice of Trains

"SHASTA ROUTE"—Oregon Express.

"OGDEN ROUTE"—New Overland Limited.

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School for Sugar Industry

SCHOOL FOR SUGAR INDUSTRY AT BRUNSWICK. Established 1872. Subsidized by the Government; Enlarged 1876. Frequented hitherto by 1222 persons. Commencement of the preparatory course, February 12, of the Principal course, March 7, 1904.

The Direction:

PROP. DR. FRÜHLING and
DR. A. RÜSSING

COMMERCIAL NEWS

The steadily declining sugar market restrains any activity in the local market. The last quotation placed 900 centrifugals at 3.36—a sudden drop from 3.50 and there is still a great deal of uncertainty in the market. A well known broker said yesterday, that the low price of raws could not be attributed to the fact that Hawaii is beginning to market her crop, although the annual recurrence of low prices they generally fall about the same time that the local crop is being milled. The immense sugar crop in Cuba, and the large quantities stored in Cuban warehouses, in anticipation of the reciprocity treaty, are given as reasons for the present low quotations. It is pointed out that the Cubans are compelled to realize on the sugar they have held for so long a time, and that the throwing of these great quantities of sugar on the market, naturally lowers the price, of which the trust is quick to take advantage. Willet & Gray's weekly sugar circular predicts the closing of beet sugar factories in Europe, particularly France, and a probably much decreased planting area in the year to come. The present low price of sugar is considered a good thing for local planters on this account, as the manufacturers are contracting for the new beet crop on figures based on current prices, which it is said, are below the cost of production in France. Without the bounty on sugar, France at least will have a very limited area in beets next year, and there should be as a result, better prices before the bulk of Hawaiian sugar reaches market.

The general market is weak. The only sales during the week were small blocks of Ewa and McBryde at \$40 and \$35.00 respectively. There was also a sale of \$500 Oahu bonds at the old price.

SHEEP RANCH IS SOLD

The Parker ranch interests, bought the Macfarlane Pauloa ranch yesterday at auction for \$26,000. The only other bidder was R. W. Shingle of Waterhouse Trust Co., representing J. A. Cunningham of Salt Lake City, who with the Macfarlanes was intending to purchase the property, and effect a consolidation of interests.

After the reading of the advertisement and order of sale Robertson & Wilder, appearing for the Parker Ranch gave notice that the lease held by the Macfarlanes and claimed to run until January 1, 1909, had expired some years back, and intending purchasers were warned that they would be ordered forthwith from the property if they bought it. Alfred Carter, on behalf of Parker, started the bidding at \$30,000 and the amount was raised alternately by himself and Shingle until it reached \$26,000 at which price the ranch was knocked down to Carter.

BERRY'S REPORT.

The following is Berrey's mid-monthly report for January:

Trade is "slack" in all lines. The holiday reaction is, at the middle of the first month, in full force and effect. It was not noticed earlier than the 10th inst. This was for the reason that earlier money left by the fleet was in the process of "filtering." Stock taking, calculations on credits, plans for the future generally and a few new deals will occupy much of the spare time of the merchants till business picks up again. The stock or share market seems to have flattened out pretty thoroughly or completely, and several seats in the Exchange could now be purchased at somewhat less than the price ruling a couple of years ago. However, the active brokers—Morgan, Armitage, Love, Brown, F. Husacek, Rans and Shingle—manage to move some securities often enough to keep up interest in the listed stocks locally and at San Francisco. There has been a decline in Onomea. Oloa has weakened; so has Hilo Railway. Ewa is at a standstill. The same may be said of Honokaa. It is a "rising market" with Mutual Telephone.

While there is a fair demand for rental cottages at the new figures, there is practically no realty business. Any amount of outside property is offered at greatly reduced figures, and many inside improved pieces can be had at less than the figures of the assessor. In spite of all this, there is a substantial rumor that Mr. Dasky has secured capital and other assistance for the further development of Pacific Heights; but this is an exceptional area.

In the air is the situation or condition of a number of proposals looking to the consolidation of a number of interests or establishments. These are "white" concerns, whose owners feel that combination or merger is most advisable just now.

While all are satisfied with the manner in which the sugar crop is coming off, yet it is felt that the market outlook is not any too encouraging. The falling off in price of raw—our 96 deg. test—is attributed to the "Christmas present" to the Cuban plantation owners and to the manipulations of the trust. There is now more than ever before serious talk of a movement for independence in the field.

The early visit of Governor (Secretary) Taft to Honolulu is expected to do much in the way of making for the prosperity of the islands. He will inspect the Honolulu Iron Works plant, and will secure at first hand facts relative to army and navy matters on and about Oahu.

Like a piece of Kansas Populist legislation, the County Act has gone the way of all hurrah reform statutes. The Supreme Court enumerated seven reasons why the Act might be invalidated, and for the purposes of decision sidetracked six counts, condemning with the seventh—the taxation hodge-podge. Governor Carter called a meeting of representative men—selected—and there was an interesting flood of ideas and opinions. It is probable that the Governor will undertake to carry on the administration with the aid of the Appropriation Act of 1907. The community is rather averse to another session of the Legislature—too expensive, and results too uncertain. The Supervisors held meetings from the 4th to the 13th inst., and did very little business. Some of the short loan operators of the city have collections of orders for county salaries as souvenirs. The professional politicians are much disgruntled.

A good many local corporations are now having their annual meetings. The most interesting of these was held by the Honolulu Rapid Transit and Land Company stockholders. The company is now operating on 22 miles of track; a little more than nine miles were built in 1903. There was disbursed on this account \$73,539.95. Both the financial and physical exhibits are really extraordinary, and reflect great credit on President Thurston, Mr. Peck, chairman of the executive committee, and Manager Ballentyne. In 1903 the company carried 5,789,157 passengers, with a mileage of 1,183,079.72. Gross earnings, \$279,873.05, with income from other sources, \$4,445.06. Income after deducting operating expenses, \$131,800.9. Fixed charges, \$41,607.14. Net income, \$90,102.95. Percentage of expense to income, 53.64. It is the very last figure that will scarcely be credited on the mainland. Very few lines anywhere are able to make anything like this showing. Mr. Thurston retires from the presidency of the company, and is succeeded by Mr. Peck.

Those who wish to encourage legitimate small farming here have an opportunity to subscribe to the stock of the Clark Farm Company. This is a promising venture in every way, and deserves the encouragement of local business men. The Hawaiian Electric Company is preparing to install oil fuel. David

NO MOURNERS AT FUNERAL

Oahu Supervisors Hold Their Final Meeting.

Unmourned and unwept, without even a funeral march, the County of Oahu passed out of existence yesterday morning. According to the Supreme Court decision the county never legally existed and the funeral ceremonies were altogether unnecessary. But for a little matter of salaries for which the Home Rule members seemed the most anxious, the last rites over the remains of the County of Oahu would have been less sad and more expeditious.

Both Lucas and Keoloha were absent from yesterday's meeting when Chairman Hocking called for order for the last time. After the reading of the minutes, Supervisor Gilman moved that the bonds of the county officials be returned to them. He said he had been informed by one of the trust companies that no premiums would be exacted if this was done. The clerk was instructed to return the bonds to the various officers, by unanimous vote.

Supervisor Mahoe asked about the decree, and said he had received no notice of it from the Supreme Court. He was informed that sufficient notice had already been received.

Supervisor Gilman called for a speech from the chair, but Mr. Hocking demurred and said it was a case where the least said the better. Mr. Gilman congratulated the members of the board on the harmony with which they had acted, and said that the only differences had been those of a political nature.

Chairman Hocking suggested that the board should take some action towards securing compensation for the county officials, and Gilman moved that the clerk make up a list of claims against the county for services performed by officials and employees since January 4th, the claim to be submitted to the legislature in the form of an indemnity bill. The actual period in which work was performed is the basis for the claim. Mahoe contended that the Supervisors should be paid for the entire month of January since they had met the first time according to law, and held eight other meetings besides. Chairman Hocking said it was doubtful how the matter would be received by the legislature, and Supervisor Robinson stated that if Mahoe's suggestion was followed it would kill the whole matter. The original motion by Mr. Gilman was then carried and the Supervisors adjourned sine die.

MEHEULA TO STAND TRIAL

(Continued from page 4.)

Isolation and the care of the laws and proceedings of the Legislature in order that the Secretary of the Territory might record and preserve the same and forward copies thereof to Congress and the President according to law.

"Under the rules of the House of Representatives of the territorial Legislature, the clerk was made responsible for all the records of the House, and was required to draw such drafts on the Treasury for expenses of the session as should be authorized by the House and approved by the committee on accounts, to pay all such bills and accounts as should be approved by the committee on accounts or ordered by the House, and to employ such typewriters and other assistants as the business of the House might, from time to time, require. Under these conditions and provisions it can hardly be said that a voucher calling for the disbursement of the public funds of the Territory was not a record of the House or that in its relation to drafts on the Treasury for the expenses of the session as shall be authorized by the House and approved by the committee on accounts, or payments of public funds as approved by the committee on accounts or ordered by the House, it was not an important part of the proceedings of the Legislature which the Secretary of the Territory was required to preserve. Certainly the President and Congress are interested in knowing how the Legislature it has established, and its officers authorized by them, are doing their work, and they are entitled to know as the supreme government of the Territory. It cannot be said that the destruction of such a voucher is purely a territorial matter."

"The provision of the statute describing the offense charged in this indictment, which removes one who is convicted thereof from his office, raises the question whether Congress could have intended to include territorial officers within the provisions of the statute. I am of the opinion that the probable non-application of the statute to state officers offers no ground of argument why territorial officers are not affected. The states within certain limits are sovereign and conduct their own public affairs, subject to the Constitution, independently of the Federal Government. But the territories are governed by Congress and, though they are generally allowed self-government to some extent, it is as a privilege and not as a right; and such privilege may be removed or changed by Congress in its discretion."

"The demurrer is overruled on both points."

"SANFORD B. DOLE,
Judge, United States District Court.
January 12, 1904."

NOTHING IN EXTENUATION

A Strangler Given Law's Whole Penalty.

Judge Robinson gave Daniel Nuuanu the full limit of the law in sentencing him for manslaughter in the second degree. This is ten years' imprisonment at hard labor. Attorney Hogan had implored leniency on the ground that Nuuanu was drunk when he strangled Kaahue, that it was done in a fight and that men and even nations fought since the beginning of time. Judge Robinson said no extenuating circumstance had been shown by the evidence, and if the jury had returned a verdict of manslaughter in the first degree, instead of the second, as "in their wisdom" they had done, the sentence would have been the full limit for that grade of crime, which is twenty years. Nuuanu, a powerful man, grasped his victim by the neck and held him face down in sand until he was dead.

The grand jury presented five indictments, which were placed on the secret file pending the arrest of the accused.

Ah Choy was tried by a jury before Judge Robinson for selling lottery tickets and found not guilty.

THREE CIVIL VERDICTS.

Before Judge De Bolt the suit of H. M. Dow vs. W. F. Jocher, and Hollister Drug Co. as garnishees, was tried. R. D. Mead for plaintiff; C. C. Blitting for defendant. A directed verdict for plaintiff, for \$700 and 6 per cent interest from Dec. 8, 1902, was found by the following jury: John R. Monis, C. H. Clapp, Wm. H. McInerney, Edmund Norrie, Jos. Andrade, C. R. Collins, S. K. Aki, Starr Kapu, Jas. Armstrong, Jos. Aea, John Andrews and J. C. Artell.

Judge De Bolt also tried Lewers & Cooke, Ltd., vs. T. Kat Poo and Wong Shiu King. W. L. Whitney for plaintiff; H. Hogan for defendant. By direction of the court a verdict for the plaintiff for \$2843 was found by the following jury: Jos. Andrade, Wm. H. McInerney, Jas. Armstrong, Edmund Norrie, John Kidwell, C. R. Collins, John Andrews, S. K. Aki, Jos. Aea, John R. Monis, Starr Kapu and J. C. Artell.

Still another directed verdict was found in the case of P. H. Burnette vs. E. Strateneyer and Tuen Chong, with Bank of Hawaii, Ltd., as garnishee. G. A. Davis for plaintiff; C. W. Ashford for defendant. The jury consisted of John R. Monis, W. H. McInerney, Sam K. Aki, John Andrews, Jas. Armstrong, John Kidwell, Edmund Norrie, C. R. Collins, J. C. Artell, C. H. Clapp, T. J. Styne and Starr Kapu. The verdict was for plaintiff for \$423.50 including interest.

Liliuokalani by her attorneys, Robertson & Wilder, discontinued her suit against Emma M. Nakuna and M. K. Nakuna, before Judge De Bolt.

Judge De Bolt, at 9 a. m. today, will call the remaining odd-numbered cases on the civil calendar. There are about 61 of them.

BEFORE JUDGE GEAR.

Judge Gear gave default judgment against defendant in the suit of E. F. Vickers vs. Robert A. Carille and Frederick A. Carille for \$800.23 including interest and costs.

Satisfaction of judgment is entered in the assumpsit suit of A. F. Franca vs. Mrs. E. C. Martins.

The following jurors are required to appear before Judge Gear tomorrow morning at 9:30: John Edwards, Harry E. Webster, Andrew Nelson, John A. McCandless, A. M. Keobo, M. J. Carroll, V. Keoloha, C. C. Conrad, Wentworth M. Buchanan, E. J. Walker, J. M. Webb, H. C. Carter, W. C. Weedon, James Cart, T. J. Fitzpatrick, S. H. Meekap, John A. Johnson, Albert Trask, David Keohohau, Archibald A. Young, E. H. Wodehouse, George Kahana.

The first trial before Judge Gear will be that of the assumpsit suit of Yee Wo vs. Lam Yip, which is set for Thursday morning.

THE FEDERAL COURT.

Toraya Kiyamura was placed on trial for peonage, in holding a woman to immoral slavery, before Judge Dole in the United States District Court yesterday. District Attorney R. W. Breckons for the prosecution; J. W. Cathcart and C. C. Blitting for the defendant. The following jury was empaneled: C. W. Macfarlane, W. C. Wilder, Geo. Dillingham, Dan Houghtaling, B. W. Beardsmore, D. H. Davis, Chas. B. Hall, H. H. Simpson, F. B. Damon, Alex. Nicholas, Chas. Lucas and B. W. Houghtaling.

It is to be suspected that Russia has the Korean soldiers, who are "committing excesses" over the line, in her pay. If they keep on until it is necessary for Russia to enter Korea and pacify their government, they may earn better wages than they ever had at home.

"You weather prophets make a great many mistakes," said the man who meers. "Yes," answered the observer, "and if other people had all their mistakes published in the daily papers as we do, I suspect that our record would seem pretty good."—Washington Star.

FISH TRUST IS FORMED

New Idea for the Control of Trade.

Honolulu has another "trust." This time it is a "fish trust." Mr. Pain, of Tramways fame, and Mr. Edmunds, the man who has tried to start a glass plantation here and also endeavored to sell Kamalo plantation, are said to be the prime organizers of the venture, and the countless fish of the sea and the wily Japanese fishermen are their capital. In a couple of weeks the new venture will be started and it is expected to result in driving nearly all of the Chinese fish commission men out of business.

Lying alongside the Queen street wharf is the small steamer "Talula," formerly the Pain mail liner running between Lahaina and Lanai. She is out of commission at present and a number of carpenters and shipwrights are at work getting her in shape for handling live fish. Her hold has been fitted with tanks, her deck houses rebuilt, and her engines repaired and, if the local inspectors of steam boilers and hulls say the boat is all right, in about two weeks' time she will be scouring the reefs around Oahu, from Waiakua to Koko Head, visiting the Japanese sampans and bringing their catches to Honolulu for sale at the fishmarket. At the latter place all arrangements have been made for keeping the fish alive and in tanks until they are sold. By this means the promoters expect to bring the fish in quickly, and save for the Japanese fishermen the time they now lose in beating into port with their cargoes. The Japanese in the past have sold their fish to the Chinese commission men in the fishmarket and it is said that the latter have always had the best of the deal. It is expected that all of the Chinese will be forced out of the fish business except those who sell the fish brought in from the ponds.

It is stated that Mr. Edmunds has organized the venture and that he proposes to pay the Japanese for the fish at the time he receives them. Thus it is expected that the "Talula" will be a sort of floating bank. When Japanese sampans deliver their fish to the small steamer off land, the fish will be weighed and paid for on the spot. Then the boat is to bring them to port and they will be sold again here by the Edmunds hull at retail.

It is proposed to visit all the present banks where the Japanese fish. Whenever it is necessary the steamer will be run as far as Waiakua to secure the fish taken there. The "Talula" is practically a new steamer. She has good engines and her hull is sound. It is expected that she will carry a crew of four men and one of these must be a licensed engineer and another a licensed captain.

Marston Campbell is preparing the final drawings for the proposed Richards street slip. He is also superintending the reconstruction of the old Inter-Island wharf and will have repairs made to the Wilder wharves. In addition he is having an extension made to the Sorenson wharf, and the extension of the Brewer wharf will soon be under way. With these improvements concluded the harbor front will present a fine appearance for usefulness and solidity. The new Oceanic sheds with their great spans have already attracted the attention of coast builders and the plans were recently taken to San Francisco for reference. It is said that in construction and usefulness the Oceanic sheds are the finest bordering on the Pacific.

The new Pacific Mail slip will extend to within forty or forty-five feet of Allen street opposite the fishmarket. The present brick building at the makai-Waikiki corner of Richards and Allen streets will be razed and the wooden buildings adjoining the United States Navy scales will be torn down. The space between the mauka end of the proposed slip and dock will be graded into the street, making a wide thoroughfare at that point, which will assist in the transaction of freight and passenger business.

The new wharf will be built against the Ewa end of Naval Dock No. 1 and the slip will be dredged out of Richards street, sufficient to take in two big passenger liners. The other wharf, proposed for the Ewa side of the new slip, will cover the ground at present used for coal piles. The old Pacific Mail sheds will, of course, be demolished. The wharf structure for the new location will be built on the same general plan of the Oceanic dock buildings.

WORK ON THE GREATER HARBOR

Prince Konoye of Japan, who lately died, had a German cast of countenance, or as nearly so as his racial structure would permit. By that token one might know that he had been educated in Germany. So impressionable are the upper classes of Japanese that they quickly take the hue of their surroundings. The late Minister Fujii, once Consul General here, had spent most of his official life in the United States and he had the American peculiarities of accent, dress and manner. The writer once saw him crossing the Great field or plaza in Tokyo which fronts the Government buildings and a friend, noting him in the crowd a long way off, said "There goes an American." But Mr. Fujii was Japanese to be backbone, despite his alien ensemble.

Prince Konoye had a round, well-settled face, a bushy moustache, a slow phlegmatic manner and a taste for beer and the Berlin newspapers. In looks he was a German done in sandalwood and dressed in a kimono. At any gathering of Japanese public men a few years ago and presumably until lately, he was wont to gather about him other Japanese nobles educated as he was; and those who knew their speech say they discussed foreign affairs mainly from a German standpoint. Germany's rivals and enemies were theirs. In a general company, though composed wholly of Japanese, one seemed to see all the nations represented. Some of the older men, educated in China, looked and acted like mandarins. There would be the quick, excitable Parisian, the suave and courtly Italian, the solid and even side-whiskered Englishman who, bedimed, hunted on horseback in breeches and a red vest; even the inscrutable Russian was there, hand-in-glove with the alert, business-like American. And all came about through study and experience abroad. The alien had taken the plastic clay of the Japanese mind and shaped it to his own thought.

In one respect the late Prince Konoye was a Japanese of the old school. Knowing foreigners as he did, and sympathizing with one class of them, he yet had no mind to let them beguile Japan to all their ways of thought. At heart he was an exclusivist; and something of the reaction in Japan from the intense modernity which began to grow up in the eighties, was due to him.

BY AUTHORITY.

MORTGAGEE'S NOTICE OF INTENTION OF FORECLOSURE AND OF SALE.

Notice is hereby given that, pursuant to the power of sale contained in that certain mortgage dated May 21, A. D. 1899, made by Elizabeth K. Smith, wife of George W. Smith, of Honolulu, Island of Oahu, Territory of Hawaii, Mortgagee, to Mary L. Alexander, Mortgagee, and recorded in the Register Office, Oahu, in Liber 194, pages 44-45, the Mortgagee intends to foreclose said mortgage for condition broken, to-wit: the non-payment of principal and interest when due.

Notice is likewise given that the property conveyed by the said mortgage will be sold at public auction at the auction rooms of James F. Morgan, Kaahumanu street, Honolulu, on Saturday, the 6th day of February, 1904, at 12 o'clock noon. The property covered by said mortgage consists of:

First. All that certain piece or parcel of land situate at Pauwela, Hamakua, District of Makawao, Island of Maui, Hawaiian Islands, containing an area of 48 acres, 2 chains and 65 fathoms (more or less), and being the same premises described in Royal Patent No. 144 to Paale, and conveyed to the mortgagee by Kila Brooks and George Brooks, her husband, by deed dated November 28, A. D. 1895, and recorded in the office of the Registrar of Conveyances in Honolulu in Liber 158, pages 368 and 367.

Second. All that piece or parcel of land situate at Kamaole, Kula, Island of Maui aforesaid, containing an area of 5 acres (more or less), and being the same premises described in Royal Patent (Grant) 392 to Philip; also all those pieces or parcels of land situate at Hamakua, said Island of Maui, and being parts 1, 5 and 6 of Royal Patent 2165. Land Commission Award Nos. 3829 and 6613 to Paale; Part 1 containing an area of 86-100 of an acre; Part 5 containing an area of 5-100 of an acre, and Part 6 containing an area of 3 24-100 acres; said premises described in Paragraph Second being the same premises conveyed to said Elizabeth K. Smith by deed of Kila Brooks and husband, dated July 29, 1896, and recorded in the Register Office, Oahu, in Liber 164, pages 181 and 182.

Third. All and singular that parcel of land situate at Kauluwela, in said Honolulu, bounded and described as follows:

Beginning at the east corner of this land, being the west corner of Makai Lane and Kuakini street, and running:

N. 41 deg. 20 min. W. 101 feet along Kuakini street;

S. 53 deg. 00 min. E. 110 feet;

N. 41 deg. 00 min. E. 118.5 feet along Lot 3;

N. 44 deg. 20 min. E. 110 feet along Makai Lane to the initial point; containing an area of 12,058 square feet (more or less).

And being the same premises conveyed to said Elizabeth K. Smith by deed of Jesse P. Makakani, dated June 1, 1899, and recorded in the Register Office, Oahu, in Liber 238, pages 214-215. Together with all the rights, easements, privileges and appurtenances thereto belonging.

There is a comfortable cottage upon this last mentioned house-lot on Kuakini street between the residence of Mr. P. C. Jones and Liliu street, and the premises together afford a very desirable opportunity for investment.

Terms: Cash United States Gold Coin. Deeds at the expense of purchaser.

For further particulars apply to W. O. Smith, Judd Building, Honolulu. Dated Honolulu, January 8, 1904.

MARY L. ALEXANDER,
Mortgagee.

By her Attorney-in-fact, W. O. Smith.

A JAPANESE PRINCE

Prince Konoye of Japan, who lately died, had a German cast of countenance, or as nearly so as his racial structure would permit. By that token one might know that he had been educated in Germany. So impressionable are the upper classes of Japanese that they quickly take the hue of their surroundings. The late Minister Fujii, once Consul General here, had spent most of his official life in the United States and he had the American peculiarities of accent, dress and manner. The writer once saw him crossing the Great field or plaza in Tokyo which fronts the Government buildings and a friend, noting him in the crowd a long way off, said "There goes an American." But Mr. Fujii was Japanese to be backbone, despite his alien ensemble.

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Bombay-Bremen Fire Insurance Co.

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored thereon on the most favorable terms. For particulars apply at the office of
F. A. SCHAEFER & CO., Agents.

German Lloyd Marine Insurance Co. OF BERLIN.**Fortuna General Insurance Co. OF BERLIN.**

The above Insurance Companies have established a general agency here, and the undersigned general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., General Agents.

General Insurance Co. for Sea River and Land Transport of Dresden.

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., Agents for the Hawaiian Islands.

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LIGHTHOUSE ESTIMATES CALLED FOR

The Bureau of Navigation at Washington has called upon the local lighthouse inspector to furnish estimates of the cost of maintenance of lighthouses in the Islands up to July 1. The estimates may include a request for an appropriation for the maintenance of an office disassociated with the Naval Station.

E. N. Shaw arrived on the Alameda yesterday to act as clerk to the lighthouse inspector.

Andromeda Again.

The Chronicle of January 8 says: It is reported the bark Andromeda has been refused entry at an Australian port under the American flag. The vessel, while bound from Newcastle, Australia, for this Coast, was dismasted in a storm and put into Honolulu. She was purchased there by the Charles Nelson Company of this city and taken to Eureka, where the American flag was temporarily substituted for British registry, under which the Andromeda sailed.

AN EDITOR'S OPINION.—John S. Dawes, Esq., editor and proprietor Guardian and Star, Hokitika, New Zealand, said: "I have found Chamberlain's Cough Remedy a very valuable medicine, having received great benefit from its use when suffering from a cold, and as a preventive for croup in children its excellent properties have been testified in my family." For sale by all dealers and druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

Willie—Mamma, I told Aunt Helen she grew homeier each day. Mrs. Simpson—You didn't tell her I said so, did you? "I had to or she would have whipped me."

METEOROLOGICAL SUMMARY FOR DECEMBER, 1903

The principal features of the month were the light rainfall which, with but very few exceptions, on the islands of Maui and Kauai, was considerably below the December normals of the different stations throughout the group, and the extremely light wind that prevailed, the average force being barely 1.0. This is the lightest of any month on record at the Weather Bureau. As a sequent of the foregoing conditions, the average amount of cloudiness was considerably below the normal.

For the sixth consecutive month the mean pressure was above normal, a condition which has existed eight months out of the twelve. In this connection it is interesting to note that the average pressure was about as much above the yearly normal as the rainfall was proportionately below. It was remarked in the November summary that the high pressure of the previous months, was likely to be followed by a winter of moderate rainfall. The small precipitation of the past month tends to confirm this opinion.

Volcanic activity abated somewhat, that of Mauna Loa's summit crater, Mokuawewe, ceasing on the night of the 8th. The disappearance of activity in this crater was as sudden as its beginning, earlier in the evening the reflection was the same as had been common during the eruption, but at about eleven p. m. this suddenly ceased, to be seen no more. Activity of the crater Halemauau, in Kilauea, was reported at the end of the month to be about the same as at the beginning, a lava lake about 200 feet in diameter having formed in the pit.

A small tidal wave did minor damage at Kokena, Hawaii, during the early morning of the 19th; and the landing at Keawakapu, Maui, was destroyed by high seas at the same time. Temperature mean for the month, 72.3; normal, 71.5; average daily maximum, 78.4; average daily minimum, 67.0; mean daily range, 11.4; greatest daily range, 17 degrees (12th and 24th); least daily range, 5 degrees (4th); highest temperature, 80 degrees (several); lowest temperature, 62 degrees (24th).

Temperature mean for the year, 73.4; normal year, 74.0. Barometer average, 29.998; normal, 29.970; highest, 30.13 (15th); lowest, 29.84 (9th); greatest 24-hour change, that is from any given hour of one day to the same hour on the next, .08; low pressure, 8th to 10th inclusive, high pressure, 4th to 13th, 17th and 25th to 31st. Barometer average for the year, 29.999; normal, 29.998. Pressure is corrected for temperature, and reduced to sea level, and the gravity correction applied.

Relative humidity average, 75.8; normal, 73.8; mean dew point, 63.5; normal, 63.0; mean absolute moisture, 6.42 grains per cubic foot; normal, 6.32. Rainfall, 1.44 inches; normal, 3.92; rain record days, 11; normal, 18; greatest rainfall in one day, 0.35 inches, from 9 a. m. 30th, to 9 a. m. 31st; total at Luakaha, .81 inches; normal, 10.24; at Kapiolani Park, 0.63 inches; normal, 3.55 inches. Rainfall for the year, 22.93 inches; normal, 36.95.

As was the case in November, due principally to the light rainfall, the artesian well-water level rose but slightly during the month, from 33.34 to 33.40 feet above mean sea level. This is the lowest December level on record during the five years these observations have been made. The average December rise heretofore has been .44 of a foot. December 31st, 1902, it stood at 34.57. The average daily mean sea level for the month was 9.90; the assumed annual mean being 10 feet above datum. For December, 1902, it was 9.87. Mean for the year, 9.76; for the year 1902, 9.85.

Trade wind days, 24 (5 N. N. E.); normal, 16; average force of wind during daylight, Beaufort scale, 1.0; average cloudiness, tenths of sky, 2.9; normal, 4.4.

Approximate percentage of district rainfall as compared with normal: Hawaii, Hilo district, 55 per cent; Hamakua, 35; Kohala, 50; Waimea, 13; Kona, 80; Kau, 57.

Island of Maui, variable from 28 at Wailuku to 119 per cent at Haleakala ranch. Island of Oahu, 40 per cent. Island of Kauai, variable from 28 at Waialua to 175 at Kilauea.

The heaviest monthly rainfall reported was at Olua Plantation mill, 10.56 inches. The heaviest 24-hour rainfalls were at Kilauea, Kauai, 4.50 inches on the 1st; Haleakala Ranch, Maui, 2.14 inches on the 8th.

Approximate percentage of district rainfall for the year 1903 as compared with normal: Hawaii, Hilo district, 100 per cent; Hamakua, 110; Kohala, 98; Waimea, 88; Kona, 95; Kau, 62.

Island of Maui, 129 per cent.

Oahu, Honolulu district, 73 per cent; Nuuanu, 96; Koolau, 67; Ewa, 60.

Island of Kauai, 72 per cent.

TEMPERATURE TABLE.

Mean Mean Cor.

Elev. Max. Min. Av. High. Low.

Hawaii—

Hilo . . . 40 78.9 64.2 71.3 83 62

Pepeekeo 100 78.8 66.8 72.1 82 65

Olua mill . . 10 80.6 59.8 65.3 83 58

Kohala . . . 521 76.4 64.8 69.9 81 61

Waimea 1730 76.8 56.8 66.1 84 52

active humidity, 69.1; barometer, mean, 29.26.

U. S. Magnetic Station, dew point, 68.0; relative humidity, 72.0.

Dew eight mornings at Honolulu, and lunar halo, 30th and 31st.

Reports from other stations: Pepeekeo, Hawaii, snow on mountains 21st, lasting but two days; distant thunder and lightning, 21st; heavy surf, 4-6, 16-21 and 30-31; dew, 13 mornings; bright morning and afterglow general through the month.

Kohala, Hawaii, trade winds 25 days, southwesterly on other days. Waimea, Hawaii, fresh and strong N. E. winds alternating with calms, northerly gale, 15th and 16th.

Hilo, slight earthquake on the 8th at 7:15 a. m.

Volcano House reports very dry weather.

R. C. LYDECKER, Territorial Meteorologist. Meteorological Office, Honolulu, H. T., January 14, 1904.

RAINFALL FOR DECEMBER, 1903.

Stations—

Ft. Inches Elev. Rain

HAWAII.

Hilo. 50 6.10

Hilo (town) 190 6.23

Puuee 35 6.42

Pepeekeo 100 2.25

Hakalau 200 4.69

Honohina 300 5.74

Puuhua 1060 3.15

Laupahoehoe 500 5.85

Hamakua.

Paauilo 300 2.27

Pasohau 300 1.73

Honokaa (Mill) 425 2.04

Kukuihaele 700 2.49

Kohala.

Awini Ranch 1100 3.63

Niuli 200 1.37

Kohala (Mission) 521 2.20

Kohala (Sugar Co.) 270 2.18

Hawi Mill 700 1.95

Puakea Ranch 600 1.71

Puuhoe Ranch 1247 1.50

Waimea 2720 0.55

Kona.

Huehue 2000 1.16

Holualoa 1350 2.30

Kealahakua 1580 2.69

Hoopuloa 1650 0.99

Hoopuloa 2300 2.73

Puuaawaa Ranch 2700 1.44

Kau.

Kahuku Ranch 1680 1.63

Honua 15 1.25

Naalehu 650 1.63

Hilea 310 2.20

Volcano House 4000 2.90

Puna.

Olua (Plantation) Mill 210 10.56

MAUI.

Waipae Ranch 700 0.00

Kaupo (Mokulau) 285 4.29

Kipahulu 308 5.30

Nahiku 350 10.16

Haiku 700 5.86

Kula, Waialua 2700 0.47

Haleakala Ranch 2800 4.88

Wailuku 250 1.43

LANAI.

Keomuku 10 0.00

OAHU.

Punahou (W. Bureau) 47 1.44

Kulaokahua (Castle) 50 0.68

Makiki Reservoir 120 1.29

U. S. Naval Station 6 0.68

Kapiolani Park 10 0.68

College Hills 175 1.89

Manoa (Woodlawn Dairy) 285 5.26

Manoa (Rhodes Gardens) 360 6.02

Inaane Asylum 30 1.03

Nuuanu (Hall) 50 1.13

Nuuanu (Willie St.) 250 1.79

Nuuanu (Elec. Station) 405 2.70

Nuuanu (Luakaha) 850 8.81

Tantalus Heights (Frear) 1380 4.99

Waimanalo 25 1.99

Maunawili 300 4.81

Kaneohe 100 4.00

Kahuku 205 2.67

NAHIKU CO. STOCK SOLD

Shareholders Paid \$0.40 on Each Dollar.

Stockholders of Nahiku Sugar Co. are offered forty cents on the dollar for the money they have paid upon their shares. A majority of them at the annual meeting of the company yesterday afternoon signed their acceptance of the proposition submitted in writing by Alexander & Baldwin, Ltd., the company's agents.

The meeting was held in the board room of Alexander & Baldwin, Ltd., at 2 p. m., W. H. Hoogs, president, in the chair.

Among the first items of business was the reading of the treasurer's report. This showed the debt due to the agents, on last previous report, as \$34,118.03. The expenses to Dec. 31, 1903, were \$5,473.85. Receipts from water rights, etc., were \$5,675.88. The debt to Alexander & Baldwin, Ltd., on the same date was \$33,916.

Officers for the ensuing year were elected as follows:

W. H. Hoogs, president.

J. F. Morgan, vice president.

G. M. Rolph, treasurer.

H. Armistage, secretary.

John Guild, auditor.

A. Hocking and J. A. Magoon, in addition to the officers, directors.

Jas. B. Castle gave out the first hint of the offer mentioned when he declined a nomination as director, saying that he was present as a representative of the agents. He added that there was a possibility of making an arrangement with Haku, Pala and Hawaiian Commercial & Sugar Co. plantations for their utilization of Nahiku water on terms similar to the Hana lease that fell through. That transaction authorized in May, 1902, was a rental equal to 6 per cent per annum upon the money paid in by stockholders.

He concluded by suggesting that a resolution be adopted authorizing the directors to use their best endeavors to negotiate the sale of water rights at a figure not less advantageous than was proposed to Hana Plantation Co.

Mr. Hocking reminded the meeting that, besides water rights, the company had quite a little block of land. Mr. Castle said that all that the plantations in question could utilize was the water. That was all the value of the land.

Mr. Morgan thought the resolution went too far in authorizing the actual disposal of the water rights by the directors. He would have the directors only obtain an offer for purchase or lease and submit it to a meeting of the stockholders.

Mr. Castle replied that the proposal was identical with what the company had agreed to do before. As to an offer for sale he was convinced that a vote to sell the property at this meeting would not bind stockholders who were not present. Alexander & Baldwin had talked over the matter of what they would give for Nahiku stock. Of course if they bought a majority of the stock it would give them control of water rights and everything.

"Why not make the proposition here?" President Hoogs asked. Mr. Castle in reply stated that all that Alexander & Baldwin were willing to pay was forty per cent of what had been paid in. This offer would remain open during January. As to a lease, it was possible that Alexander & Baldwin might do better than in the proposal to Hana.

President Hoogs, after a little general talk, asked shareholders by name what they thought of the offer of forty cents on the dollar. "Do you consider it an attempt to freeze out the small stockholders?" he put as a test question, explaining that it was to avoid having any after criticism.

There was practical unanimity in answers favorable to accepting the offer. One man reserved his opinion, as he held stock in trust, while another did not care to decide offhandedly. These two were the only exceptions to the opinions in favor of selling the stock as the quickest way of winding up the company as a sugar-planting proposition.

On a suggestion to take a stock vote of those present on selling out, Mr. Castle sent into Alexander & Baldwin's office for their proposition to buy the stock, in black and white. When the document was brought and read, nearly all present forthwith signed an agreement to sell their respective shares.

Mr. Hocking moved a vote of thanks to Alexander & Baldwin for their generous treatment of the stockholders, in carrying the company over for the past two years, which had made it possible for them to get something back.

This was well received and unanimously adopted. Mr. Castle spoke the appreciation of Alexander & Baldwin for the expression, contrasting as it did with the recriminations sometimes heard upon the failure of enterprises.

After the meeting Secretary Armistage saw other stockholders on the outside, with the result that signatures of holders of more than 6000 shares, altogether, were obtained before night. The total number of shares alive is 11,709. This represents \$21,993 paid in. Forty per cent of this, which Alexander & Baldwin offer, makes \$8,797.52, which, added to the debt of \$33,916 due them, amounts to \$42,713.52 they pay for control of the assets of the Nahiku Sugar Co. These include about 900 acres of land in fee simple, which comes into Alexander & Baldwin's absolute control at a cost, shown by the figures just given, of \$74 an acre.

Sleep for Skin-Tortured Babies

And Rest for Tired Mothers



In a warm bath with CUTICURA SOAP and a single anointing with CUTICURA, purest of emollients and greatest of skin cures. This is the purest, sweetest, most speedy, permanent, and economical treatment for torturing, disfiguring, itching, burning, bleeding, scaly, crusted, and pimply skin and scalp humours, with loss of hair of infants and children, and is sure to succeed when all else fails.

Complete External and Internal Treatment for Every Humour, including Corns, Bunions, and all other skin diseases, and for all internal diseases, such as Rheumatism, Gout, and all other ailments of the blood. A full and complete description of the various diseases treated by CUTICURA, and of the various preparations used, will be found in the CUTICURA BOOK, which will be sent free of charge to all who send for it. Address: CUTICURA CO., 100 N. 3rd St., St. Louis, Mo., U. S. A.

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(BY JULIAN D. HAYNE.)

With Artistic Illuminations by Viggo Jacobson.

THE GAZETTE CO. has recently secured a few copies of this much talked of publication, which is now out of print.

Julian Darwin Hayne is a man who will long be remembered in Hawaii for his many brilliant accomplishments and his wonderfully checkered career.

The legend is well written and the artistic element reflects great credit up on Mr. Jacobson.

Though but few people here have seen this book, nearly all have heard of it and will be glad of the opportunity to secure a copy.

PRICE 25 CENTS.

DR. J. COLLIS BROWNE'S CHLORODYNE

IS THE ORIGINAL AND ONLY GENUINE.

Coughs, Colds, Asthma and Bronchitis.

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DR. J. COLLIS BROWNE'S CHLORODYNE is a liquid medicine which assuages PAIN of EVERY KIND, affords a calm, refreshing sleep WITHOUT HEADACHE, and INVIGORATES the nervous system when exhausted. It is the GREAT SPECIFIC FOR CHOLERA, DYSENTERY and DIARRHOEA.

The General Board of Health, London, reports that it ACTS as a CHARM; one dose generally sufficient.

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Sole Manufacturers, J. T. Davenport, Limited, London.

HAWAIIAN FORESTS.

A Description of the Island Forests Based on Recent Observations.

By William L. Hall, Chief of the Division of Forest Extension, Bureau of Forestry.

ARRIVED.

Friday, Jan. 18.
 Steamer, Kailani, Dower, from Hawaii and Maui ports, at 6:15 a. m.
 Am. M. Coronado, Potter, 14 days from San Francisco, at 1 p. m.
 Steamer, Chas. L. Woodbury, Harris, from Hilo, at 8:45 a. m., with 41 cords of wood, 151 pkgs. bottles.
 Steamer, Olympic, Evans, from San Francisco, at 5:10 p. m.
 Steamer, Ka Mo, from Hawaii, at 4:30 p. m.

Saturday, Jan. 17.
 Steamer, Claudine, Parker, from Maui ports, at 6 a. m.
 Steamer, W. G. Hall, Thompson, from Kailani ports, at 7 a. m.

DEPARTED.

Friday, Jan. 15.
 Steamer, Lady, for Koolau ports, at 11 a. m.
 Steamer, Maui, F. Bennett, for Kailani, Maui, Koolau, Laupahoehoe and Paia, at noon.
 Steamer, Mauna Loa, Simerson, for Laupahoehoe, Kona and Kau ports, at noon.

Sunday, Jan. 17.
 P. M. S. S. Korea, Seabury, for San Francisco, at 4 p. m.

PASSENGERS.

Arrived.

For Maui, Kona and Kau ports, per steamer, Mauna Loa, Jan. 15.—A. K. Gutterman, W. Walsh, C. T. Gallagher, M. O'Shaughnessy, W. A. Baldwin and wife, Mrs. McWayne, Miss Henkelius, Miss Jaeger, J. Campbell, Chas. Akana, Mrs. Lyman, Mrs. W. A. Wall, M. F. Scott, W. H. Lohrey, T. R. Robinson, Captain Miblack and wife, Thos. C. White, Dr. Emerson, Mrs. Josephine Corwell, W. H. Cornwell.

For Hawaii ports, per steamer, Maui, Jan. 15.—C. T. Day.

Per steamer, W. G. Hall, from Kailani, Jan. 17.—J. S. Fleming, Miss A. Creamer, Chong Kong, Mrs. L. McKeague, H. Blake and wife, Miss Lizzie Auld, H. Rosenblatt, S. W. Wilcox, L. Nakapapa, P. D. Nelson, H. P. Baldwin, W. F. Miller, C. B. Hofgaard, James, W. G. Hall, E. Wagner, A. Cockburn, W. Kelly, C. A. Rice, Ching Hing On, W. A. Kinney, Miss Kato, John Miskop, and 27 deck.

Per steamer, Claudine, from Kailani, Jan. 17.—Miss Lindsay, A. N. Kepolani, Henry P. Kaohi, J. K. Hanuana, Miss Ah Nam and two children, Rev. A. H. E. Vierra and child, Woo Pyeng Hui, L. Tobner, H. E. Hendrick, Mrs. Keshokale, G. F. Herrick, Jno. Richardson, C. Tetslaff, A. O. Stevens, E. Devachelle, N. G. Campton, H. C. Halverson and wife.

Departed.

Per S. S. Korea, for San Francisco, Jan. 17.—Mrs. Terrill, Miss Terrill, Mr. and Mrs. Durham, Mrs. E. A. Abbott and son, Miss E. J. Cartwright, Mr. and Mrs. H. A. Grass, Mrs. S. A. Bunne, Mr. and Mrs. H. F. Lewis and child, Miss A. McIntyre, Mr. and Mrs. I. A. Cunningham, C. E. Greenfield, S. L. Ramsey, D. L. Withington, Mr. and Mrs. Sullivan, Miss B. L. Harger, David Lawrence, Miss Bessie Beaver, Forest, Miss Grace Power, J. G. MacFarlyn, C. Du Roi, J. B. Patulla, E. A. McGerny, Dr. and Mrs. R. P. Myers, Miss G. M. Kimball, H. V. Reeves, Miss Fannie Myers, Miss K. Myers, Miss Rita, Mrs. M. F. Rittenhouse, L. A. Thurston, Mrs. Gust and child, Mrs. M. Mackie, A. H. Fleming and party, J. E. Metcalf and wife, Clinton J. Hutchins, A. Gartley, W. O. Smith, Mrs. Cantor and child, Mrs. Rosenwasser.

Shipping Notes.

SAN FRANCISCO, January 8.—The following vessels are up and loading for island ports:

Sailing vessels for Honolulu: Ermgard, Mohican, N. N. Castle, Albert, Andrew Welch, Helene.

For Hilo: St. Katherine, Roderick Dhu.

Steamers for Honolulu: Nevada, to sail 18th inst.; Sonoma, to sail 21st inst.

The A. H. S. S. Nevada sails from San Francisco for Honolulu on January 18th.

The bark Kailani will sail for San Francisco with a cargo of sugar, on Tuesday, January 19. She will carry passengers.

A consignment of six leg irons and six wrist irons arrived per the Siberia for Captain Catlin of the Marine Corps. This is the first batch of supplies for the detachment of marines who will arrive here in February.

A decision arrived at by the Cabinet at Washington that government employees must work half an hour longer, will affect Federal employees here, especially in the Customs service. The Federal day formerly closed at 4 p. m.

Captain Whitney and Carl F. Lehmann, Inspectors of Hulls and Boilers, accompanied by their secretary, George Claggett, arrived on the Alameda, and will inspect local steamers for the next month, taking in Kailani and Hilo. They go to Hilo next Tuesday. Examinations of local seafaring men will take place under the inspectors for renewal of licenses.

The barkentine Ametia, with a cargo of lumber, is about due from Eureka.

The American ship St. James is the next boat due from Newcastle. She is now out 26 days.

There are two thoroughly distinct types of forest in the Hawaiian Islands. One type occurs near sea-level in the drier portions of the islands and is valuable on account of the timber and other products which it yields. The other type is found on the mountain slopes at elevations of 1,000 to 8,000 feet, where there is a rainfall of 50 to 200 or more inches per year. It has little commercial but high protective value. In no case do the two forests intermingling or meet.

THE ALGAROA FOREST.

The forest which occurs near sea-level consists of a single species, and is introduced. It is the Mesquite of the Southwestern Plains and is called Algaroa (Prosopis juliflora).

The first Algaroa tree sprang from a seed planted in 1837 by Father Bachelot, founder of the Roman Catholic mission. This tree, which is the progenitor of forests of fully 50,000 acres in extent, yet stands in thrifty condition in Honolulu. It is about 2 feet in diameter and 50 feet tall.

On the island of Oahu the Algaroa forest, covering about 20,000 acres, extends in a narrow but almost continuous belt from the southeastern point, along the south and west coasts, which are protected by the trade winds to the northwestern point. On the other islands it occupies the same relative position, reaching up the low, dry slopes for several hundred feet, often on ground so stony and sterile as to be utterly waste for other purposes. Everywhere it is an aggressive forest and is fast gaining ground.

In Hawaii the species grows in much denser stand, and both taller and straighter than in the United States. Where fully established it shades the ground so thoroughly as to keep out all competitors. The trees become 50 to 60 feet high.

Situated as they are, the Algaroa forests are much more accessible than the mountain forests. The wood has high fuel value and when used as fence posts lasts well in the ground. It scarcely needs saying that these products are in great demand and that there is extensive cutting in these forests. After cutting, the growth renews itself rapidly by both seedlings and sprouts, so that within three or four years it has as complete possession of the ground as before.

A very important feature of the Algaroa forest, and one interesting alike to the forester and the stockman, is that the pods borne by the tree in great abundance are nutritious food for stock. The pods ripen during the summer months and fall to the ground, where they are either eaten direct by the cattle, horses, and pigs, or are picked up to be fed. Forming, with the exception of grasses, the most important animal food in the islands, they are a boon to stockmen, who fatten cattle on them during July and August, when the pastures are usually dry.

Stock do no injury in the Algaroa forests, either to standing trees or reproduction. In eating the pods they do not break the small horny seeds, which pass on through the alimentary system, where they are well prepared for germination. Stock are solely responsible for the rapid and wide extension of this tree.

The Algaroa forests are a valuable asset for Hawaii. They have no enemies; they have tremendous powers of reproduction and extension, and best of all, they are so highly appreciated for their situation and products that they will be cared for by the individual without special action on the part of the government.

THE MOUNTAIN FORESTS.

These forests are irregularly distributed at elevations between 1,000 and 8,000 feet. Their quality, growth and even presence are strongly influenced by the northeast trade winds, which during the greater part of the year keep the windward mountain slopes saturated by frequent rains. Where the rainfall is heaviest the forests are densest. Sugar cane, the all-important crop in Hawaii, occupies the land from a few feet above sea-level to 2,000 feet elevation, and is present wherever there is cultivable land in considerable bodies and an accessible supply of water. Almost without exception, where there was forest under these conditions it has been cleared and the land devoted to cane. Above the cane fields the plains and gentle slopes are often desirable grazing lands, and are commonly used for that purpose; so that much of the land between the elevations named is not forested at all.

The islands of Hawaii and Maui are the only ones having elevations above the timber-line, which is sharply defined at from 6,000 to 8,000 feet. This is surprisingly low, considering the excellence of the soil.

Your Sugar Crop

Depends on the right quantity and quality of Ammonites it has to feed upon. Nitrogen (Ammonia) being the principal material removed from the soil by sugar cane.

A few dollars' worth of

Nitrate of Soda

(The Standard Ammoniate)

fed to each acre of growing cane, will give surprising results. Planters should read our Bulletin giving results of Agricultural Experiment Station trials. They are sent free. Send name on post card.

WILLIAM S. MEYER,

Director.

12-14 John St., New York, U. S. A.

lent conditions of soil and moisture which prevail at that altitude in Hawaii. The sufficient reason seems to be that the species composing the native forests are all representatives of the torrid zone, and in these islands, which lie right at the edge of the tropics, find their limit at the low altitude named.

CHARACTER OF THE FOREST.

The purely tropical character of the forest is impressive. None of the familiar trees of the north temperate zone are present. There are no oaks, maples, pines, or spruces. There is one representative each of Soporid, Sophora, and Xanthoxylum, and two or three of Acacia, all differing distinctly from their congeners in the United States. One tree, Ohia Lehua (Metrosideros polymorpha), gives character to perhaps three-fourths of the forest, covering the ground either in pure stand or with a small admixture of Koa, Kolea, Kopiko, Kukui, Naio, and Pua.

Seldom does the Lehua form a dense stand. The trees are far apart (see frontispiece), have small, thin crowns, and under varying conditions in the forest grow from 40 to 100 feet high. In the best forests they often reach a diameter of 4 feet, with clear length of 40 to 50 feet. The Lehua trunk is straight, but near the ground deeply ribbed and frequently divided into several branches. Its wood is of a reddish color, heavy, and in drying checks and warps so badly that it is of little use except for fuel.

Though Lehua trees grow in thin stand, the normal Lehua forest, on account of the abundant and luxuriant undergrowth, is impenetrable, except as one cuts his way with axe and knife. To begin with, many trees support climbers, like the Icicle vine, which grows into the crowns and may lace together with rope-like stems the trees of an entire forest. Then there is the fern growth, marvelous in its variety and luxuriance. With species which range in height from a few inches to 30 feet, grow both on trees, and on the ground, and run the whole scale of shade endurance, the ferns do much toward making the virgin Hawaiian forest impenetrable, dark jungle which it often is. In caves of extreme wetness wild banana to some extent supplants the ferns. Mosses in places cover the ground and tree-trunks in a layer several inches deep and grow in great bunches over a foot thick on suspended vines and drooping twigs, giving an appearance of weird drapery.

In such a dark forest it seems anomalous to find the Ohia, a tree of pronounced intolerance, reproducing itself generation after generation. It does so through its singular habit of germinating on the trunks of standing or fallen trees, and especially on the fibrous trunks of the tree fern, which is admirably suited to its needs. Only in these places can it get the light it requires. As soon as it germinates it sends several roots down to the ground, sometimes through as much as 30 feet of space. When the host decays the tree is left standing on its several roots, as before described. The natives have an adage that the Amoa (tree-fern) is the mother of the Lehua. On the drier mountain slopes the Lehua in some districts relinquishes its predominant place to other species, such as the Naid, Kolea, Kopiko, Koaia, and Koa.

Koa (Acacia-koa), besides occurring in mixture with Lehua, forms pure stands over several extensive tracts in Hawaii and Maui. This is usually a spreading tree with short trunk, occurring in somewhat scattering stands. Sometimes it reaches a diameter of 8 feet and a height of 75 feet. It generally has the characteristic fern undergrowth. Koa is the one fairly abundant tree of the Hawaiian forests which has any economic value. It is a highly prized cabinet wood, has been so used in the islands, and exported in limited quantities. Considerable quantities of mature Koa yet remain in the island of Hawaii.

Kukui (Alouris moulueana), a handsome tree with large silvery leaves pointed like our California Sycamore, characterizes the bottoms and sides of gulches and streams to a height of 2,000 feet. It bears an oily nut which the natives in olden times used for illumination. It has no commercial value now.

Mamane (Sophora chrysophylla) is the tree of the high mountains and a useful post timber. On the sides of Mauna Kea, at elevations of 6,000 to 8,000 feet, it is rapidly extending and seems to suffer no injury from heavy grazing.

IMPORTANCE OF HAWAIIAN FORESTS.

It can not be claimed that these forests have great commercial value. But for protecting the mountain slopes, for gathering and distributing a useful supply of water for irrigating purposes, they have a value which, in the opinion of many, is difficult to overstate.

They lie directly above the canefields, in many places cover steep, even precipitous slopes, receive from 50 to 200 or more inches of rainfall per year, and are of such character as to hold in suspension a tremendous quantity of water.

The land which depends upon them for a regular supply of water produces, in sugar and rice, crops of immense value. In 1902 the sugar exported from the islands amounted to \$23,022,300, nearly 97 per cent of the total exports. Sugar is the sustaining crop of the islands. Other industries flourish largely because the sugar industry exists.

Larve tracts suitable to sugar cane lie out of use because there is no water supply for them.

Many of the lands already producing sugar would be more productive with a more abundant and regular water supply.

In so far as water-sheds have been denuded, the results have been disastrous and quickly felt in the way of dwindling water supply and decreased productivity of the land.

Among the people who have watched conditions most closely in Hawaii the

opinion has gained general acceptance that the forest has a direct influence in increasing the rainfall in certain localities, and indeed it is a fact that the evidence for this conclusion is most convincing. Moreover, it seems possible to demonstrate the fact of this influence by measurement.

RAPID DECREASE IN FOREST AREA.

It is said that the islands were heavily wooded one hundred years ago. Cattle had been introduced late in the eighteenth century and were allowed to run wild without molestation, as their slaughter was prohibited. By 1815 they had increased to such great numbers as to be a menace to the forest, and they have continued so till the present time.

The character of the forest makes it peculiarly susceptible to injury by stock. The tender, succulent undergrowth is easily trampled down, and much of it, notably some of the ferns, icicle, and banana, is excellent food for cattle. Yet this undergrowth is a vital part of the forest; without it the ground dries quickly and the shallow-rooted trees soon die. The normal Hawaiian forests are as delicate as the plant life in our greenhouses, and it is not to be wondered at that cattle easily destroy them.

Cattle have not gone through all the forests. Some were inaccessible, some too impenetrable for them to enter far at a time. They have worked around the edges, and year by year have entered further, until in many instances they have gone through the entire forest.

Following the attacks of cattle have come other agents of destruction. Injurious insects have frequently appeared in numbers sufficient to deaden thousands of acres at a time. Koa, the most valuable tree in the islands, has upward of a dozen insect enemies, which threaten its utter extinction.

On many thousand acres of forest land opened up by cattle rank-growing grasses have come in and rendered conditions prohibitive of forest reproduction. Cutting and fire have also greatly reduced the forest area.

Goats were introduced into the islands many years ago, and have been particularly active agents of destruction. Wild pigs, the progeny of stock introduced years ago, have done some damage on all the islands. Deer, brought to Molokai in the early sixties, have added their efforts in the destructive work.

With so many forces working its devastation, how could the delicate Hawaiian forests do else than recede rapidly year after year? They have already been destroyed on many thousand acres which should never have been denuded, and are falling now as fast, no doubt, as at any time in the past. The problem which confronts Hawaii is to find means of protecting the forests which remain and of restoring them in localities where their absence will hinder the development of the country.

WHAT SHOULD BE DONE.

Nothing less will be effective toward this end than a carefully worked out system of forest reserves which will include practically all the mountain forests on the five important islands, as well as some potential forest land which has been denuded. This should be the first step taken, and should be taken as quickly as possible. The Hawaiian land system is such that each of the reserves will have to be made, a section at a time, by the territorial government exchanging with individuals, wherever necessary, both leasehold and fee-simple lands for the portions it desires to protect as forest. The territory owns 1,700,000 acres, of which the forest reserves when completed should probably include 700,000 acres.

As soon as the reserves are formed all cattle should be driven out, and the portions which are accessible to cattle should be fenced. Those wild cattle which cannot be driven out and the wild goats should be shot. An effective ranger service should then be put into operation to keep stock and fire out of the forest.

With the reserves well protected, the forest will replace itself on many of the damaged areas, as reproduction under some conditions takes place rapidly. Where it will not replace itself, planting will be necessary, and can be done with direct profit to the islands, too, if commercially valuable species are made use of and are planted in the right situations.

It will be a fine problem for a forester to determine what some of the valuable temperate zone trees like the Redwood and Red Fir will do under the promising conditions which prevail on the high slopes.

PROPOSED FOREST SERVICE.

The people of Hawaii are fully alert to the impending danger to the islands from the decadence of the forests. Last spring the legislature passed a bill providing for an efficient forest service, to be under the charge of a superintendent of forestry and directed by a board of agriculture and forestry. A system of forest reserves which are to be protected by fences and patrolled by rangers is provided for, as also is the maintenance of nurseries and the necessary planting. An appropriation of \$28,000 per year has been made to carry the work into effect.

The personnel of the board is all that could be desired. It is composed of business men, who have already taken time, and are willing to take time in the future, to give the needs of forestry the most careful attention, and who are thoroughly capable to undertake the responsible work before them.

The Bureau of Forestry will stand in an advisory position with the board, and at its request has provided a trained forester for the position of superintendent of forestry.

A more responsible and attractive field than this has not been opened in American forest work. The immense importance of the forests, their quick response to improved treatment, the great opportunity to enhance the value of the forest by the introduction of valuable timber trees, the perfectly definite work to be carried out in the formation of the reserve system, and the moral and financial support which are assured to the forester who handles the work well make the field an exceedingly good one.

Good dog: "He's a homely dog," said Mrs. Gray. "But he has a wonderful pedigree. His mother, his grandfather, his great-grandmother, and his great-great-grandmother all lived in Methodist families."—Newark News.

GRAFT FOR SUPERVISORS
Hawaii Men Order
Telephones for
Houses.

HILO, Jan. 15.—The last week of county government in East Hawaii was not as peaceful as the first. A stormy session marked the close of the proceedings.

Serrao Hall was to have been county headquarters but all this is changed now. The new sheriff went in a list of appointments said to be the largest ever before asked on the island of Hawaii. Koolani wanted three deputies for Hilo, but was cut down to one. Messrs. Peck and Andrews, trustees of the Hilo Hospital, asked for a detail of prisoners to work on the hospital grounds and the request was granted, the gang to continue at that work until February 1. L. D. Brown was recommended as luna and after considerable talk in which Koolani showed opposition, the recommendation was approved. Another squad was put to work clearing rubbish from the park site.

Makekau's economical streak took the form of a motion that an appropriation of \$252 be made for the purpose of providing supervisors with telephones. Mr. Desha fought the measure, but lost. Mr. Makekau argued that there may be special meetings of the supervisors and without telephones it would be impossible to get the country members together. Mr. Desha asked if the territory furnished telephones to the members of the legislature when Makekau was in that body? No answer was made to this.

Another matter of moment was the appointment of a county physician. The board of health having discontinued the service it was thought advisable for the supervisors to appoint some one in accordance with the provisions of the County Act. Dr. Milton Rice was the favorite and he presented a petition to one of the board. But this was not acted upon and Makekau called on the doctor last Friday and asked why he had not handed one in. The doctor told him he had done so and to whom he had given it. "Make out another and hand it to me and I will attend to it," said Makekau. This was complied with and on Saturday he read the application in open meeting. On Monday the matter was brought up in the form of a resolution, applications from Dr. Stow and Dr. Holland having been received. The matter was then referred to a committee of the whole house. At this meeting Makekau declared in favor of accepting the offer of the three government physicians to act free until some definite instructions had been received from the board and after a long and tumultuous discussion the resolution carried. Until action is taken by the Board of Health, Dr. Stow will be county physician in chief, Dr. Curtis will act in Oahu, and Dr. Greenfield in Hamakua.

A labor union petition was received regarding labor on the Hilo Railway, which was considered a private matter.

The close of the session of the board on Tuesday night was rather stormy and the services of the sergeant-at-arms were required to suppress Mr. Desha who had been ruled out of order.

The difficulty arose over the question of commissions to the deputy collectors of taxes. The commission paid to the deputy in Puna was five per cent up to six months ago. Then it was reduced to 4 1/2 per cent because the advent of the plantation there increased the taxes and also the amount of fees to the collector. Mr. Desha wanted it reduced to 4 per cent as that would bring the collector a good return. It was settled at the former rate. For Hilo it was practically settled in committee that the chief deputy should receive one and one half per cent and the second deputy one per cent. Mr. Desha says a report to that effect was made out but when presented to him the rate for the chief had been increased a quarter of one per cent. Mr. Desha refused to sign the report even though Makekau insisted. During the discussion Mr. Desha was told that he was out of order. He asked that he be allowed to speak on a question of privilege but the request was denied. He continued to talk and the sergeant-at-arms was told to force him down. Simona walked over to the supervisor but did not put his hands on him. He requested him as a Christian to sit down but the words continued to flow from his mouth. Desha then told him that it was fortunate for him that he had not put his hands on him.

Desha's argument was that the county was without funds and it was the duty of the supervisors to economize wherever possible. Makekau retorted by intimating that Desha was endeavoring to cut down salaries.

There was another wrangle over the pay of road supervisors. Desha favored \$75 per month for the man in Hamakua. Makekau, brother-in-law of the appointee, favored \$100 per month because Williamson, the former incumbent, who is a competent engineer and surveyor, was paid that amount. It was fixed at \$75. Makekau wanted \$75 for the road supervisor in South Hilo, but Desha argued that there was more and important work to be done here and insisted that the salary be fixed at \$100. This caused another discussion and it was fixed at \$100 per month. Puna was settled at \$65. Commission to deputy tax assessor Hamakua was another source of trouble. Makekau favored 4 1/2 per cent.

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and Desha wanted it at 4 per cent and showed that the income would be greater than that of the tax assessor. A war of words followed but it was settled at 4 per cent.

A total list of appropriations amounting to \$73,723 was made up.

The appropriation bill shows material reductions throughout. Mounted policemen who received \$50 per month during the past six months will get \$60 per month in future and they must furnish their own animals. Foot policemen will get \$45 a month in Hilo and \$40 in the outer districts where the men must furnish horses.

The expenses of the Circuit Court were cut materially; \$2800 was asked for each term of court but the board would not allow so much.

One peculiar item is that for jailers. In Hamakua, where there is a good-sized jail, and where a term of court is held annually, the jailer receives \$35 per month, while at Honouliuli, an important position, the salary is \$50 per month. It is said that Makekau has no love for the Hamakua man while the Honouliuli man is a personal friend of his.

OF THE MULTITUDES

who have used it, or are now using it, we have never heard of any one who has been disappointed in it. No claims are made for it except those which are amply justified by experience. In commending it to the afflicted we simply point to its record. It has done great things, and it is certain to continue the excellent work. There is—no medicine which can be used with greater and more reasonable faith and confidence. It nourishes and keeps up the strength during those periods when the appetite fails and food cannot be digested. To guard against imitations this "trade mark" is put on every bottle of



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